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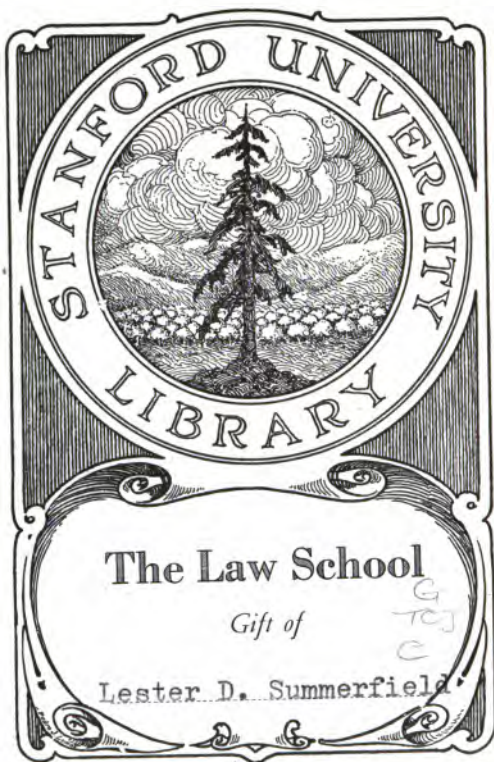
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STATUTES
OF THE
STATE OF NEVADA,

PASSED AT THE
SIXTH SESSION OF THE LEGISLATURE,
1873.

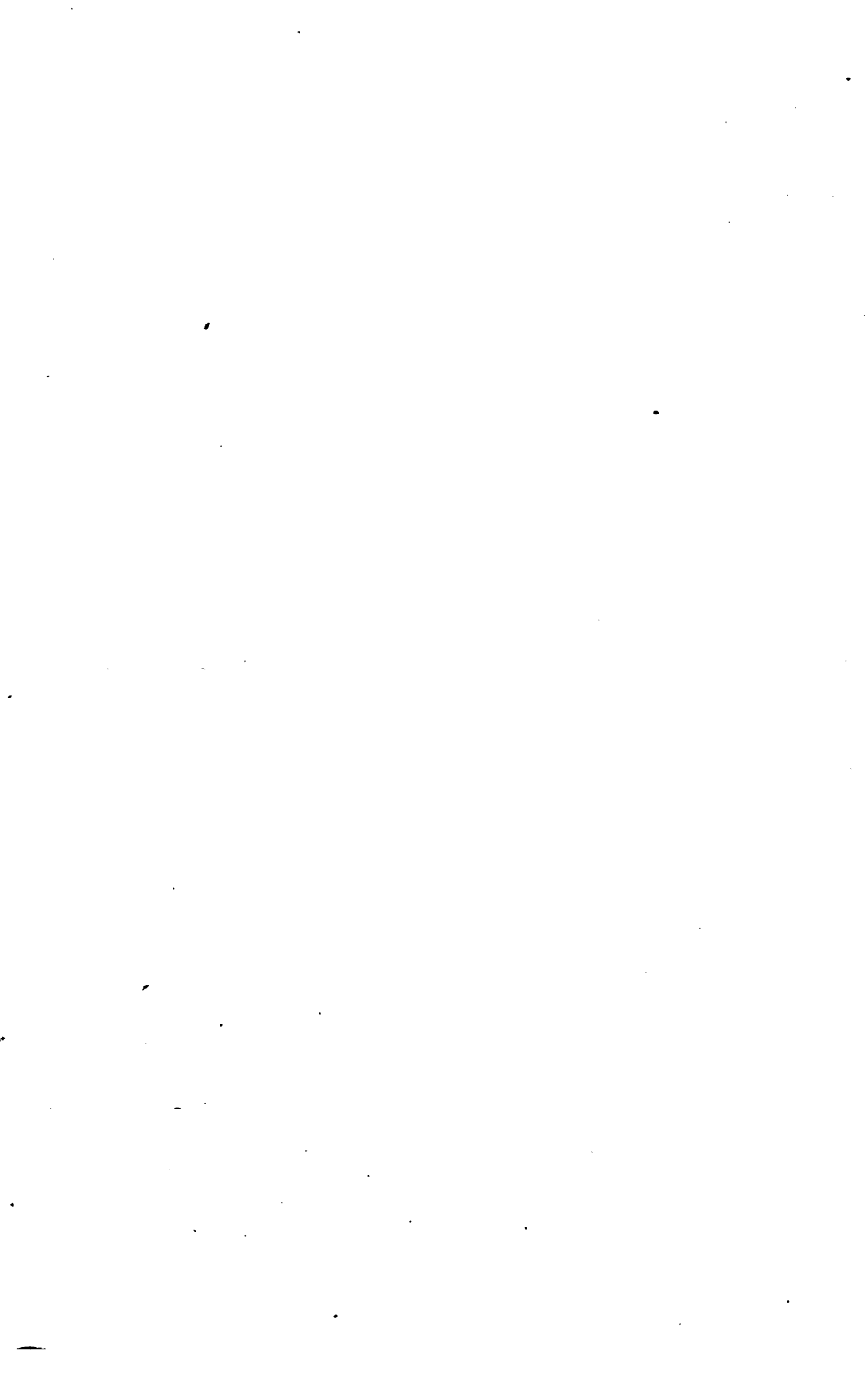
BEGUN ON MONDAY, THE SIXTH DAY OF JANUARY, AND ENDED
ON THURSDAY, THE SIXTH DAY OF MARCH.



CARSON CITY:
CHARLES A. V. PUTNAM, STATE PRINTER.
1873.

GENERAL ARRANGEMENT OF VOLUME.

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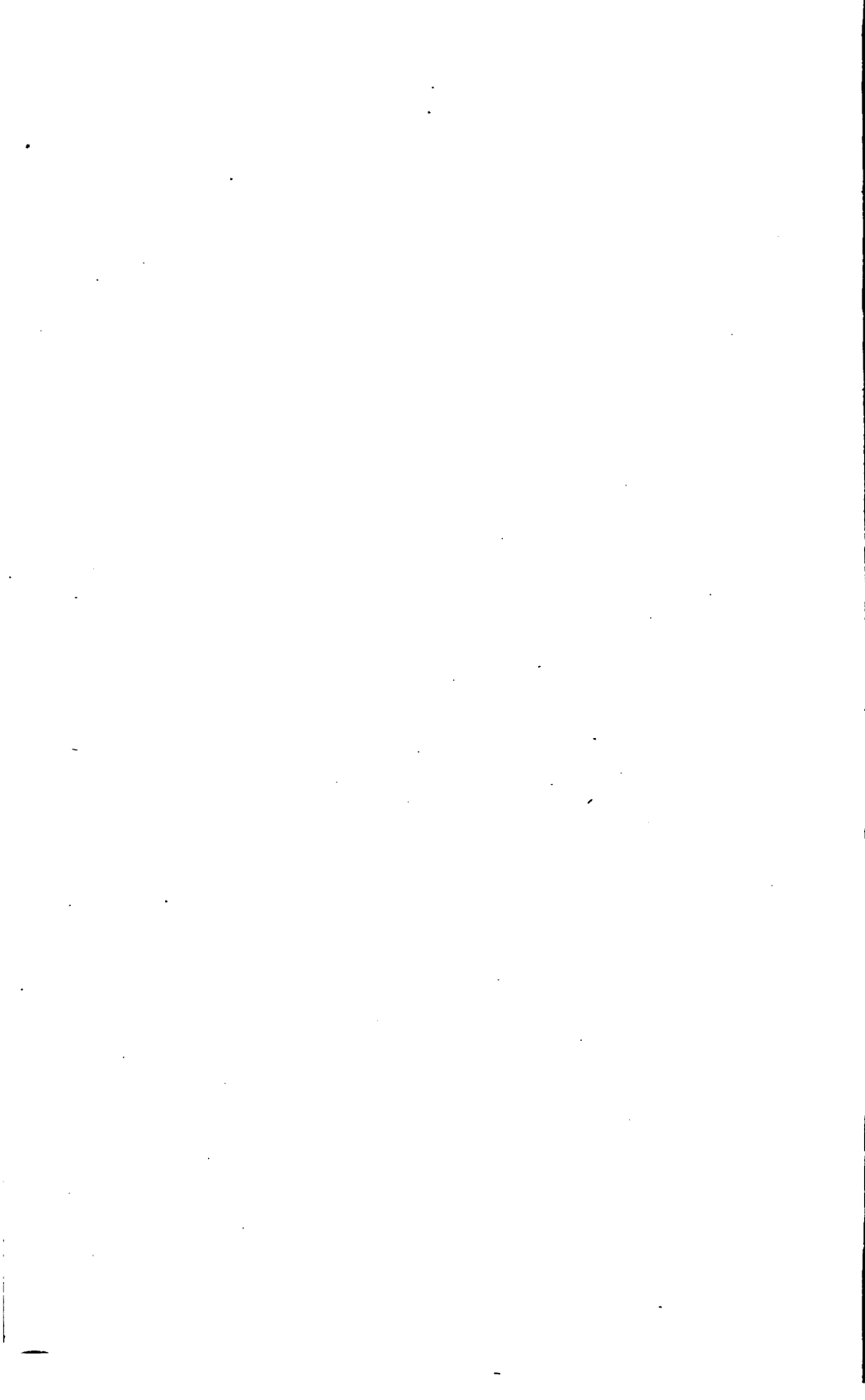
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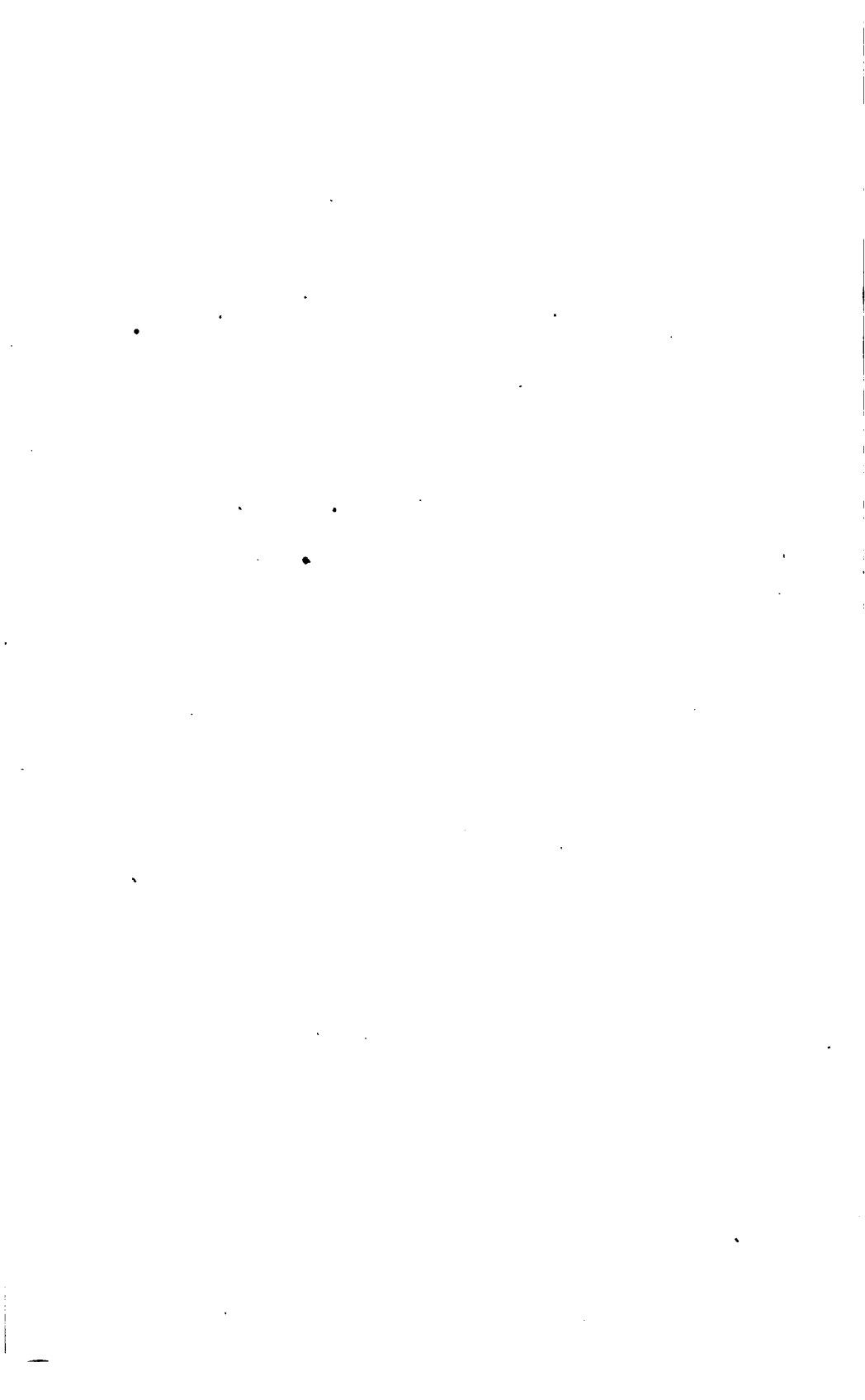
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CONSTITUTION OF THE STATE OF NEVADA.



CONSTITUTION OF THE STATE OF NEVADA.

PRELIMINARY ACTION.

WHEREAS, The Act of Congress, approved March twenty-first, A. D. eighteen hundred and sixty-four, "to enable the People of the Territory of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," requires that the members of the Convention for framing such Constitution shall, after organization, on behalf of the people of said Territory, adopt the Constitution of the United States; therefore, be it

Resolved, That the members of this Convention, elected by the authority of the aforesaid Enabling Act of Congress, assembled in Carson City, the Capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said Territory, the Constitution of the United States.

ORDINANCE.

In obedience to the requirements of an Act of the Congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a Constitution and State Government, this Convention, elected and convened in obedience to said Enabling Act, do ordain as follows—and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

First—There shall be in this State neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested, in person or property, on account of his or her mode of religious worship.

Third—That the people inhabiting said Territory do agree, and declare, that they forever disclaim all right and title to

United
States
lands
exempt
from
taxation.

the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the land belonging to residents thereof; and that no taxes shall be imposed by said State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

P R E A M B L E.

We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquillity, and form a more perfect Government, do establish this

C O N S T I T U T I O N.

A R T I C L E I.

D E C L A R A T I O N O F R I G H T S.

SECTION 1. All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness.

Paramount
allegiance.

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the Federal Government, in the exercise of all its constitutional powers, as the same have been, or may be, defined by the Supreme Court of the United States, and no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the Government of the United States. The Constitution of the United States confers full power on the Federal Government to maintain and perpetuate its existence, and whensoever any portion of the States, or people thereof, attempt to secede from the Federal Union, or forcibly resist the execution of its laws, the Federal Government may, by warrant of the Constitution, employ armed force in compelling obedience to its authority.

Powers of
Federal
Govern-
ment.

Right of
trial by
jury.

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three fourths of the jurors agree upon a verdict, it shall stand, and have the same force and effect as a verdict by the whole jury; *provided*, the Legislature, by a law passed by a two-thirds vote of all the members elected to

each branch thereof, may require a unanimous verdict, notwithstanding this provision.

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State. Religious worship.

SEC. 5. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension. Habeas corpus.

SEC. 6. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted; nor shall witnesses be unreasonably detained. Bail.

SEC. 7. All persons shall be bailable by sufficient sureties; unless, for capital offenses, when the proof is evident or the presumption great. When bailable.

SEC. 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature), except on presentment or indictment of a Grand Jury, and in any trial, in any Court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made. Capital or infamous crime, when tried.

SEC. 9. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions, and civil actions for libels, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted or exonerated. Freedom of speech and of the press

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances. Right to assemble and petition.

SEC. 11. The military shall be subordinate to the civil power. No standing army shall be maintained by this State in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years. Standing army not maintained

SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Apportionment of representation.

SEC. 13. Representation shall be apportioned according to population.

Privileges of debtors.

SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Ex post facto law.

SEC. 15. No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

Rights of bona fide residents.

SEC. 16. Foreigners who are, or who may hereafter become, bona fide residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property as native-born citizens.

Slavery prohibited.

SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

Rights against seizures and searches.

SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason, what to consist of.

SEC. 19. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. And no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

Right of suffrage, who entitled.

SECTION 1. Every white male citizen of the United States (not laboring under the disabilities named in this Constitution), of the age of twenty-one years and upwards, who shall have actually, and not constructively, resided in the State six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any State or Territory of the United States, unless restored to civil rights; and no person who, after arriving at the age of eighteen years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called Confederate States, or either of them, unless an amnesty be granted to such by the Federal Government; and

no idiot or insane person shall be entitled to the privilege of an elector.

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, at public expense; nor while confined in any public prison.

Residence, when not gained or lost.

SEC. 3. The right of suffrage shall be enjoyed by all persons otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, the votes so cast shall be made to apply to the county and township of which said voters were bona fide residents at the time of their enlistment; *and, provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this Constitution.

Right of suffrage to be enjoyed by persons in military service.

Proviso.

SEC. 4. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

Electors not to be arrested.

SEC. 5. All elections by the people shall be by ballot, and all elections by the Legislature, or by either branch thereof, shall be *viva voce*.

Elections.

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections and to regulate the manner of holding and making returns of the same; and the Legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary, as a test of electoral qualification.

Registration of electors required.

SEC. 7. The Legislature shall provide by law for the payment of an annual poll tax of not less than two nor exceeding four dollars from each male person resident in the State, between the ages of twenty-one and sixty years (uncivilized American Indians excepted), one half to be applied for State, and one half for county, purposes; and the Legislature may, in its discretion, make such payment a condition to the right of voting.

Poll tax.

SEC. 8. All persons qualified by law to vote for representatives to the General Assembly of the Territory of Nevada on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said Territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this Constitution.

Qualified voters.

ARTICLE III.

DISTRIBUTION OF POWERS.

Powers
restricted.

SECTION 1. The powers of the Government of the State of Nevada shall be divided into three separate departments—the Legislative, the Executive, and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

How
vested.Where
held. •

Sessions.

Assembly-
men, when
chosen.Term of
office.Senators,
when
chosen.
Term of
office.Senators
and Assem-
blymen to
be qualified
electors.Right to
judge of
qualifica-
tion.May
punish
and expel.May
punish for
contempt,
etc.

SECTION 1. The Legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such Legislature shall be held at the seat of Government of the State.

SEC. 2. The sessions of the Legislature shall be biennial, and shall commence on the first Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

SEC. 3. The members of the Assembly shall be chosen biennially, by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

SEC. 4. Senators shall be chosen at the same time and places as members of the Assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

SEC. 5. Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of Senators shall not be less than one third nor more than one half of that of the members of the Assembly.

SEC. 6. Each House shall judge of the qualifications, elections, and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings, and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member.

SEC. 7. Either House, during the session, may punish, by imprisonment, any person not a member who shall have been guilty of disrespect to the House by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

SEC. 8. No Senator or member of Assembly shall, during the term for which he shall have been elected, nor for one year

thereafter, be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased during such term, except such office as may be filled by elections by the people. Not eligible to appointment to civil office.

SEC. 9. No person holding any lucrative office under the Government of the United States, or any other power, shall be eligible to any civil office of profit under this State; *provided*, that Postmasters whose compensation does not exceed five hundred dollars per annum, or Commissioners of Deeds, shall not be deemed as holding a lucrative office. Who not eligible to office.

SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State; and the Legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony. When disqualified.

SEC. 11. Members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature, and for fifteen days next before the commencement of each session. Members exempt from arrest.

SEC. 12. When vacancies occur in either House, the Governor shall issue writs of election to fill such vacancy. Vacancies, how filled.

SEC. 13. A majority of all the members elected to each House shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each House may prescribe. Quorum.

SEC. 14. Each House shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either House on any question shall, at the desire of any three members present, be entered on the journal. Journal required.

SEC. 15. The doors of each House shall be kept open during its session, except the Senate, while sitting in executive session; and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions. Doors may be closed.

SEC. 16. Any bill may originate in either House of the Legislature, and all bills passed by one may be amended in the other. Where bills may originate.

SEC. 17. Each law enacted by the Legislature shall embrace but one subject, and matter properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the Act as revised, or section as amended, shall be reenacted and published at length. Laws, what to embrace.

SEC. 18. Every bill shall be read by sections on three several days in each House, unless, in case of emergency, two thirds of the House where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed Bills, how read.

CONSTITUTION OF THE

How passed.	with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each House; and a majority of all the members elected to each House shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective Houses, and by the Secretary of the Senate and Clerk of the Assembly.
How signed.	
Money, how to be drawn.	SEC. 19. No money shall be drawn from the Treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the Legislature.
Legislation restricted.	SEC. 20. The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: Regulating the jurisdiction and duties of Justices of the Peace and of Constables; For the punishment of crimes and misdemeanors; Regulating the practice of Courts of justice; Providing for changing the venue in civil and criminal cases; Granting divorces; Changing the names of persons; Vacating roads, town plots, streets, alleys, and public squares; Summoning and impaneling Grand and petit Juries and providing for their compensation; Regulating county and township business; Regulating the election of county and township officers; For the assessment and collection of taxes for State, county, and township purposes; Providing for opening and conducting elections of State, county, or township officers, and designating the places of voting; Providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities.
Laws to be general.	SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.
Suits against the State.	SEC. 22. Provision may be made by general law for bringing suit against the State, as to all liabilities originating after the adoption of this Constitution.
Enacting clause.	SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.
Lotteries prohibited.	SEC. 24. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.
County and township government.	SEC. 25. The Legislature shall establish a system of county and township government, which shall be uniform throughout the State.
County Commissioners.	SEC. 26. The Legislature shall provide by law for the election of a Board of County Commissioners in each county, and such County Commissioners shall, jointly and individually, perform such duties as may be prescribed by law.
Jury service.	SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of this State, and all

persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice. Elections.

SEC. 28. No money shall be drawn from the State Treasury as salary or compensation to any officer or employé of the Legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employé, and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employé of the Legislature, or either branch thereof, at such session; *provided*, that this restriction shall not apply to the first session of the Legislature. When money to be drawn.

SEC. 29. The first regular session of the Legislature, under this Constitution, may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session, convened by the Governor, exceed twenty days. Time of session.

SEC. 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife; and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated. Homesteads exempt from forced sale.

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property. Wife to hold property.

SEC. 32. The Legislature shall provide for the election, by the people, of a Clerk of the Supreme Court, County Clerks, County Recorders, who shall be ex officio County Auditors, District Attorneys, Sheriffs, County Surveyors, Public Administrators, and other necessary officers, and fix, by law, their duties and compensation. County Clerks shall be ex officio Clerks of the Courts of record, and of the Boards of County Commissioners, in and for their respective counties. Officers, provision to be made for election of.

SEC. 33. The members of the Legislature shall receive for their services a compensation to be fixed by law, and paid out of the public Treasury; but no increase of such compensation shall take effect during the term for which the members of either House shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers, and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; Compensation.

and, furthermore provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

United
States
Senators,
how elected

SEC. 34. In all elections for United States Senators, such elections shall be held in joint Convention of both Houses of the Legislature. It shall be the duty of the Legislature which convenes next preceding the expiration of the term of such Senator, to elect his successor. If a vacancy in such Senatorial representation from any cause occur, it shall be the duty of the Legislature then in session, or at the succeeding session thereof, to supply the vacancy. If the Legislature shall at any time, as herein provided, fail to unite in a joint Convention within twenty days after the commencement of the session of the Legislature for the election [of] such Senator, it shall be the duty of the Governor, by proclamation, to convene the two Houses of the Legislature in joint Convention within not less than five days, nor exceeding ten days, from the publication of his proclamation; and the joint Convention, when so assembled, shall proceed to elect the Senator, as herein provided.

Bill, when
to become
a law.

SEC. 35. Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which House shall cause such objections to be entered upon its Journal, and proceed to reconsider it. If, after such reconsideration, it again pass both Houses by yeas and nays, by a vote of two thirds of the members elected to each House, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the Legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor, within ten days next after the adjournment (Sundays excepted), shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same shall receive the vote of two thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays, to be entered upon the Journals of each House, it shall become a law.

ARTICLE V.

EXECUTIVE DEPARTMENT.

Supreme
power, in
whom
vested.

SECTION 1. The supreme executive power of this State shall be vested in a Chief Magistrate, who shall be Governor of the State of Nevada.

How
elected,
and term
of office.

SEC. 2. The Governor shall be elected by the qualified electors at the time and places of voting for members of the Legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

SEC. 3. No person shall be eligible to the office of Governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under the Constitution, shall not have been a citizen resident of this State for two years next preceding the election. Who eligible.

SEC. 4. The returns of every election for Governor, and other State officers voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the Secretary of State; and on the third Monday of December succeeding such election, the Chief Justice of the Supreme Court, and the Associate Justices, or a majority thereof, shall meet at the office of the Secretary of State, and open and canvass the election returns for Governor, and all other State officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected; but in case any two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote of both Houses, elect one of said persons to fill said office. Returns of election, how made.
Who elected.

SEC. 5. The Governor shall be Commander in Chief of the military forces of this State, except when they shall be called into the service of the United States. Commander-in-Chief.

SEC. 6. He shall transact all executive business with the officers of the Government, civil and military, and may require information in writing from the officers of the Executive Department, upon any subject relating to the duties of their respective offices. Duties of Governor.

SEC. 7. He shall see that the laws are faithfully executed.

SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have the power to fill such vacancy by granting a commission, which shall expire at the next election and qualification of the person elected to such office. Vacancies in office, how filled.

SEC. 9. The Governor may, on extraordinary occasions, convene the Legislature by proclamation, and shall state to both Houses, when organized, the purpose for which they have been convened; and the Legislature shall transact no legislative business except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in session. May convene Legislature

SEC. 10. He shall communicate, by message, to the Legislature, at every regular session, the condition of the State, and recommend such measures as he may deem expedient. Communications, how made.

SEC. 11. In case of a disagreement between the two Houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next Legislature. Power to adjourn.

SEC. 12. No person shall, while holding any office under the United States Government, hold the office of Governor, except as herein expressly provided. Who not eligible to office of Governor.

Powers of
Governor.

SEC. 13. The Governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days, dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the Legislature should fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the Governor, by his order, may direct. The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon, or reprieve.

Who may
remit fines
and grant
pardons.

SEC. 14. The Governor, Justices of the Supreme Court, and Attorney General, or a major part of them, of whom the Governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

State seal.

SEC. 15. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Grants and
commissions
to be in the
name of the
State, etc.

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

Lieutenant
Governor,
how to be
elected.

SEC. 17. A Lieutenant Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office and his eligibility shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President *pro tempore* of the Senate shall act as Governor, until the vacancy be filled or the disability cease.

When
duties of
Governor
shall
devolve on
Lieutenant

SEC. 18. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and at the head of any military force thereof, he shall continue Commander in Chief of the military forces of the State.

Secretary
of State,
Controller,
Treasurer,
and
Attorney
General,
who
eligible.

SEC. 19. A Secretary of State, a Treasurer, a Controller, a Surveyor General, and an Attorney General, shall be elected at the same time and places, and in the same manner as the Governor. The term of office of each shall be the same as is

prescribed for the Governor. Any elector shall be eligible to either of said offices.

SEC. 20. The Secretary of State shall keep a true record of the official acts of the Legislative and Executive Departments of the Government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature. Duties of Secretary of State.

SEC. 21. The Governor, Secretary of State, and Attorney General shall constitute a Board of State Prison Commissioners, which Board shall have such supervision of all matters connected with the State Prison as may be provided by law. They shall also constitute a Board of Examiners, with power to examine all claims against the State (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law. And no claim against the State (except salaries or compensation of officers fixed by law) shall be passed upon by the Legislature without having been considered and acted upon by said "Board of Examiners." Prison Commissioners.
Board of Examiners

SEC. 22. The Secretary of State, State Treasurer, State Controller, Surveyor General, Attorney General, and Superintendent of Public Instruction shall perform such other duties as may be prescribed by law. Duties.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of this State shall be vested in a Supreme Court, District Courts, and in Justices of the Peace. The Legislature may also establish Courts for municipal purposes only, in incorporated cities and towns. Courts.

SEC. 2. The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum; *provided*, that the Legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional Associate Justices, and, if so increased, three shall constitute a quorum. The concurrence of a majority of the whole Court shall be necessary to render a decision. Supreme Court.
Quorum.

SEC. 3. The Justices of the Supreme Court shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of six years from and including the first Monday of January next succeeding their election; *provided*, that there shall be elected, at the first election under this Constitution, three Justices of the Supreme Court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four, and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice; and after the expiration of his term, the one having the next shortest term How and when elected, and term of office.

Chief
Justice.

shall be Chief Justice, after which the senior Justice in commission shall be Chief Justice. And in case the commission of any two or more of said Justices shall bear the same date, they shall determine by lot who shall be Chief Justice.

Jurisdic-
tion.

SEC. 4. The Supreme Court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand (exclusive of interest), or the value of the property in controversy, exceeds three hundred dollars; also, in all other civil cases not included in the general subdivision of law and equity, and also on questions of law alone, in all criminal cases in which the offense charged amounts to felony. The Court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warrant, and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court in the State, or before any Judge of said Courts.

Judicial
districts.

SEC. 5. The State is hereby divided into nine Judicial Districts, of which the County of Storey shall constitute the first; the County of Ormsby the second; the County of Lyon the third; the County of Washoe the fourth; the Counties of Nye and Churchill the fifth; the County of Humboldt the sixth; the County of Lander the seventh; the County of Douglas the eighth, and the County of Esmeralda the ninth. The County of Roop shall be attached to the County of Washoe for judicial purposes, until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no such change shall take effect except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under

May be
altered.

Election of
District
Judges.

this Constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided), one District Judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven; after the said first election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one District Judge in each of the respective Judicial Districts (except in the First District, as in this section hereinafter provided). The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at the said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the First Judicial District shall be entitled to, and shall have, three District Judges, who shall possess coextensive and concurrent jurisdiction, and who shall be elected at the same times, in the same

One Judge
for each
district.

manner, and shall hold office for the like terms, as herein prescribed in relation to the Judges in other Judicial Districts. Any one of said Judges may preside on the impaneling of Grand Juries, and the presentment and trial on the indictments under such rules and regulations as may be prescribed by law.

SEC. 6. The District Courts in the several Judicial Districts of this State shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand (exclusive of interest), or the value of the property in controversy, exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons, and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law. They shall, also, have final appellate jurisdiction in cases arising in Justices' Courts, and such other inferior tribunals as may be established by law. The District Courts, and the Judges thereof, shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of habeas corpus on petition by, or on behalf of, any person held in actual custody in their respective districts.

Jurisdiction and powers.

SEC. 7. The times of holding the Supreme Court, and District Courts, shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of government, and the terms of the District Courts shall be held at the county seats of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the Legislature may, by law, designate the place of holding Courts in such districts.

When and where Courts to be held.

SEC. 8. The Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and shall fix, by law, their powers, duties, and responsibilities; *provided*, that such Justices' Courts shall not have jurisdiction of the following cases, viz: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest), or the value of the property, exceeds three hundred dollars. Second—Of cases wherein the title to real estate, or mining claims, or questions of boundaries to land, is or may be involved; or of cases that shall in any manner conflict with the jurisdiction of the several Courts of record in this State; *and, provided further*, that Justices' Courts shall have such criminal jurisdiction as may be prescribed by law; and the Legislature may confer upon said Courts jurisdiction, concurrent with the District Courts, of actions to enforce mechanics' liens, wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or with-

Justices of the Peace.

Jurisdiction restricted.

Criminal jurisdiction.

Concurrent jurisdiction.

Appeals. held. The Legislature shall also prescribe, by law, the manner, and determine the cases, in which appeals may be taken from Justices' and other Courts. The Supreme Court, the District Courts, and such other Courts as the Legislature shall designate, shall be Courts of record.

Municipal Courts. SEC. 9. Provision shall be made, by law, prescribing the powers, duties, and responsibilities of any Municipal Court that may be established in pursuance of section one of this Article; and also fixing, by law, the jurisdiction of said Court, so as not to conflict with that of the several Courts of record.

Not to receive fees, etc. SEC. 10. No judicial officer, except Justices of the Peace and City Recorders, shall receive, to his own use, any fees or perquisites of office.

Ineligible to other office. SEC. 11. The Justices of the Supreme Court and the District Judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such Judges, by the people, Legislature, or otherwise, during said period, to any office other than judicial, shall be void.

Charge to juries. SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

Style of process. SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

Form of civil action SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

Salaries. SEC. 15. The Justices of the Supreme Court and District Judges shall each receive, quarterly, for their services, a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that District Judges shall be paid out of the County Treasuries of the counties composing their respective districts.

Court fee, or tax. SEC. 16. The Legislature, at its first session, and from time to time thereafter, shall provide, by law, that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several Courts of record in this State, a special Court fee or tax shall be advanced to the Clerks of said Courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such Clerks, and applied towards the payment of the compensation of the Judges of said Courts, as shall be directed by law.

Office, when vacated. SEC. 17. The Legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the State for more than ninety consecutive days, shall be deemed to have vacated his office.

When superseded SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several Courts of the Territory of Ne-

vada be changed, until the election and qualification of the several officers provided for in this Article.

ARTICLE VII.

IMPEACHMENT AND REMOVAL FROM OFFICE.

SECTION 1. The Assembly shall have the sole power of im- Impeach-
ment.
peaching. The concurrence of a majority of all the members How tried.
elected shall be necessary to an impeachment. All impeach-
ments shall be tried by the Senate, and, when sitting for that
purpose, the Senators shall be upon oath or affirmation to do
justice according to law and evidence. The Chief Justice of Chief
Justice
to preside.
the Supreme Court shall preside over the Senate while sitting
to try the Governor or Lieutenant Governor upon impeach-
ment. No person shall be convicted without the concurrence Conviction.
of two thirds of the Senators elected.

SEC. 2. The Governor, and other State and Judicial officers, Who liable
to impeach-
ment.
except Justices of the Peace, shall be liable to impeachment for
misdemeanor or malfeasance in office; but judgment in such
case shall not extend further than removal from office and dis-
qualification to hold any office of honor, profit, or trust under
this State. The party, whether convicted or acquitted, shall
nevertheless be liable to indictment, trial, judgment, and pun-
ishment according to law.

SEC. 3. For any reasonable cause, to be entered on the Jour- Justices of
Supreme
Court and
District
Judges
may be
removed.
nals of each House, which may or may not be sufficient
grounds for impeachment, the Chief Justice and Associate Jus-
tices of the Supreme Court and Judges of the District Courts
shall be removed from office on the vote of two thirds of the
members elected to each branch of the Legislature, and the
Justice or Judge complained of shall be served with a copy of
the complaint against him, and shall have an opportunity of
being heard in person, or by counsel, in his defense; *provided*,
that no member of either branch of the Legislature shall be
eligible to fill the vacancy occasioned by such removal.

SEC. 4. Provision shall be made by law for the removal from Removal
from office
of civil
officer.
office of any civil officer, other than those in this Article pre-
viously specified, for malfeasance or nonfeasance in the per-
formance of his duties.

ARTICLE VIII.

MUNICIPAL AND OTHER CORPORATIONS.

SECTION 1. The Legislature shall pass no special Act in any No special
legislation.
manner relating to corporate powers, except for municipal pur-
poses; but corporations may be formed under general laws; and
all such laws may, from time to time, be altered or repealed.

SEC. 2. All real property and possessory rights to the same, Taxation,
what
subject to.
as well as personal property in this State, belonging to corpora-
tions now existing or hereafter created, shall be subject to tax-
ation the same as property of individuals; *provided*, that the

property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

Dues may
be secured.

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporators in corporations formed under the laws of this State shall not be individually liable for the debts or liabilities of such corporations.

Corpora-
tions may
sue.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such laws until the Legislature shall pass laws regulating the same, in pursuance of the provisions of this Constitution.

Bank notes
prohibited.

SEC. 5. Corporations may sue and be sued in all Courts, in like manner as individuals.

Right
of way.

SEC. 6. No bank notes or paper of any kind shall ever be permitted to circulate as money in this State, except the Federal currency and the notes of banks authorized under the laws of Congress.

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

Organiza-
tion of
cities and
towns.

SEC. 8. The Legislature shall provide for the organization of cities and towns by general laws, and restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water.

State not
to donate
or loan.

SEC. 9. The State shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes.

County,
etc., not
to become
stockholder

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation, or association whatever, or loan its credit in aid of any such company, corporation, or association, except railroad corporations, companies, or associations.

ARTICLE IX.

FINANCE AND STATE DEBT.

cal year. SECTION 1. The fiscal year shall commence on the first day of January in each year.

Legislature
to provide
for levying
an annual
tax.

SEC. 2. The Legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the State for each fiscal year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing years [year] or two years.

State may
contract
debts.

SEC. 3. For the purpose of enabling the State to transact its business upon a cash basis, from its organization, the State may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying extraordinary expenses as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be

Restriction
of debt.

distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the State in time of war, or, if hostilities be threatened, provide for the public defense.

Annual
tax.Proceeds,
how appro-
priated.When
contract
void.

SEC. 4. The State shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

State not
to assume
indebt-
edness.

ARTICLE X.

TAXATION.

SECTION 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, excepting mines and mining claims, the proceeds of which alone shall be taxed, and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes.

Taxation
to be equal.

ARTICLE XI.

EDUCATION.

SECTION 1. The Legislature shall encourage, by all suitable means, the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, and moral improvements; and also provide for the election by the people, at the general election, of a Superintendent of Public Instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law.

Superin-
tendent,
when
elected.Term of
office.

SEC. 2. The Legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instruction of a sectarian character therein, may be deprived of its proportion of the interest of the Public School Fund during such neglect or infraction; and the Legislature may pass such laws as will tend

School
system to
be uniform.

to secure a general attendance of the children in each school district upon said public schools.

Lands
appropriated
for educational
purposes.

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in every township, donated for the benefit of public schools in the Act of the Thirty-eighth Congress, to enable the people of Nevada Territory to form a State Government; the thirty thousand acres of public lands granted by an Act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each Senator and Representative in Congress; and all proceeds of lands that have been, or may hereafter be granted or appropriated by the United States to this State, and also the five hundred thousand acres of land granted to the new States under the Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress make provisions for, or authorizes such diversion to be made for the purpose herein contained, all estates that may escheat to the State, all of such per cent as may be granted by Congress on the sale of land, all fines collected under the penal laws of the State, all property given or bequeathed to the State for educational purposes, and all proceeds derived from any or all of said sources, shall be, and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties in proportion to the ascertained numbers of the persons between the ages of six and eighteen years in the different counties; and the Legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above mentioned sources in United States bonds, or the bonds of this State; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and, provided further*, that such portions of said interest as may be necessary may be appropriated for the support of the State University.

Sale, how
made.

Proviso.

University.

SEC. 4. The Legislature shall provide for the establishment of a State University, which shall embrace departments for agriculture, mechanic arts, and mining, to be controlled by a Board of Regents, whose duties shall be prescribed by law.

Normal
Schools.

SEC. 5. The Legislature shall have power to establish Normal Schools, and such different grades of schools, from the primary department to the University, as in their discretion they may deem necessary, and all professors in said University, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in Article XV of this Constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

Special
tax.

SEC. 6. The Legislature shall provide a special tax of one half of one mill on the dollar of all taxable property in the State, in addition to the other means provided for the support and maintenance of said University and common schools; *pro-*

vided, that at the end of ten years they may reduce said tax to one quarter of one mill on each dollar of taxable property.

SEC. 7. The Governor, Secretary of State, and Superintendent of Public Instruction shall, for the first four years, and until their successors are elected and qualified, constitute a Board of Regents, to control and manage the affairs of the University and the funds of the same, under such regulations as may be provided by law. But the Legislature shall, at its regular session next preceding the expiration of the term of office of said Board of Regents, provide for the election of a new Board of Regents and define their duties. Regents.

SEC. 8. The Board of Regents shall, from the interest accruing from the first funds which come under their control, immediately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by Act of Congress approved July second, A. D. eighteen hundred and sixty-two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said Board of Regents in a separate Fund, to be appropriated exclusively for the benefit of the first named departments to the University, as set forth in section four above; and the Legislature shall provide that if, through neglect or any other contingency, any portion of the Fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said Fund, so that the principal of said Fund shall remain forever undiminished. Duties of Regents.

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or University that may be established under this Constitution. Sectarianism prohibited.

ARTICLE XII.

MILITIA.

SECTION 1. The Legislature shall provide by law for organizing and disciplining the militia of this State, for the effectual encouragement of volunteer corps, and the safe keeping of the public arms. Organization of militia.

SEC. 2. The Governor shall have power to call out the militia to execute the laws of the State, or to suppress insurrection or repel invasion. Power to call out.

ARTICLE XIII.

PUBLIC INSTITUTIONS.

SECTION 1. Institutions for the benefit of the insane, blind, and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law. Benevolent institutions to be fostered.

SEC. 2. A State Prison shall be established and maintained in such manner as may be prescribed by law; and provision may be made by law for the establishment and maintenance of a House of Refuge for juvenile offenders. State Prison.

Counties to
provide for
aged and
infirm.

SEC. 3. The respective counties of the State shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society.

ARTICLE XIV.

BOUNDARY.

Boundary.

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever Congress shall authorize the addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this State. *And, furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this State.

Addition
may be
made.

ARTICLE XV.

MISCELLANEOUS PROVISIONS.

Seat of
Govern-
ment,

SECTION 1. The seat of government shall be at Carson City, but no appropriation for the erection or purchase of capitol buildings shall be made during the next three years.

SEC. 2. Members of the Legislature, and all officers, executive, judicial, and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation:

Oath of
office.

"I, —, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Con-

vention or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office. And further, that I will well and faithfully perform all the duties of the office of —, on which I am about to enter; (if an oath), so help me God; (if an affirmation), under the pains and penalties of perjury."

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit, or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to this section.

Who not
eligible
to office.

SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

Perpetuities.

SEC. 5. The general election shall be held on the Tuesday next after the first Monday of November.

General election.

SEC. 6. The aggregate number of members of both branches of the Legislature shall never exceed seventy-five.

Number of
members
restricted.

SEC. 7. All county officers shall hold their offices at the county seat of their respective counties.

Offices,
where
held.

SEC. 8. The Legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the Supreme Court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the Supreme Court shall take effect and be operative until the opinion of the Court in such case shall be filed with the Clerk of said Court.

Publication
of
laws, etc.

SEC. 9. The Legislature may at any time provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salary or compensation is fixed in this Constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

Salaries
may be
increased
or dimin-
ished.

SEC. 10. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

Officers,
how
chosen.

SEC. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office

Tenure of
office may
be declared

shall be held during the pleasure of the authority making the appointment; but the Legislature shall not create any office, the tenure of which shall be longer than four years, except as herein otherwise provided in this Constitution.

State offices, where held SEC. 12. The Governor, Secretary of State, State Treasurer, State Controller, and Clerk of the Supreme Court shall keep their respective offices at the seat of government.

Enumeration of inhabitants to be taken. SEC. 13. The enumeration of the inhabitants of this State shall be taken, under the direction of the Legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both Houses of the Legislature.

Plurality of votes to constitute choice. SEC. 14. A plurality of votes given at an election by the people shall constitute a choice, where not otherwise provided by this Constitution.

ARTICLE XVI.

AMENDMENTS.

Amendment, how made. SECTION 1. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly, and if the same shall be agreed to by a majority of all the members elected to each of the two Houses, such proposed amendment or amendments shall be entered on their respective Journals, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each House, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution.

Revision of Constitution. SEC. 2. If at any time the Legislature, by a vote of two thirds of the members elected to each House, shall determine that it is necessary to cause a revision of this entire Constitution, they shall recommend to the electors, at the next election for members of the Legislature, to vote for or against a Convention; and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a Convention, the Legislature shall, at its next session, provide by law for calling a Convention, to be holden within six months after the passage of such law; and such Convention shall consist of a number of members not less than that of both branches of the Legislature. In determining what is a majority of the

Convention

electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

Majority of
electors.

ARTICLE XVII.

SCHEDULE.

SECTION 1. That no inconvenience may arise by reason of a change from a Territorial to a permanent State Government, it is declared that all rights, actions, prosecutions, judgments, claims, and contracts, as well of individuals as of bodies corporate, including counties, towns, and cities, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Nevada, previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

Rights,
etc., to
continue.

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this State, not repugnant to this Constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the Legislature.

Laws to
remain
in force.

SEC. 3. All fines, penalties, and forfeitures accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

Fines, etc.
to inure to
the State.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a Territorial to a State Government, shall remain valid, and shall pass to, and may be prosecuted in the name of the State; and all bonds executed to the Governor of the Territory, or to any other officer or Court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the Governor, or other officer, or Court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on and recovery had accordingly; and all property, real, personal, or mixed, and all judgments, bonds, specialties, choses in action, claims, and debts of whatsoever description, and all records and public archives of the Territory of Nevada, shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State Government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Nevada before the change from a Territorial to a State Government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity and other legal proceedings which may be pending in any of the Courts of the Territory of Nevada at the time of the change from a Territorial to a State Government,

Recogn-
izances
to remain
valid.

Bond may
be sued on.

Property,
records,
etc., of
Territory
to vest in
State.

Criminal
prosecu-
tions.

Offenses
committed
against
laws of
Territory.

Actions,
etc., to be
continued.

may be continued and transferred to, and determined by any Court of the State which shall have jurisdiction of the subject matter thereof. *All actions at law and suits in equity, and all other legal proceedings, which may be pending in any of the Courts of the Territory of Nevada at the time of the change from a Territorial to a State Government, shall be continued and transferred to, and may be prosecuted to judgment and execution in any Court of the State which shall have jurisdiction of the subject matter thereof; and all books, papers, and records relating to the same shall be transferred in like manner to such Court.*

Salaries of officers.

SEC. 5. For the first term of office succeeding the formation of a State Government the salary of the Governor shall be four thousand dollars per annum; the salary of the Secretary of State shall be three thousand six hundred dollars per annum; the salary of the State Controller shall be three thousand six hundred dollars per annum; the salary of the State Treasurer shall be three thousand six hundred dollars per annum; the salary of the Surveyor General shall be one thousand dollars per annum; the salary of the Attorney General shall be two thousand five hundred dollars per annum; the salary of the Superintendent of Public Instruction shall be two thousand dollars per annum; the salary of each Judge of the Supreme Court shall be seven thousand dollars per annum; the salaries of the foregoing officers shall be paid quarterly out of the State Treasury. The pay of State Senators and members of Assembly shall be eight dollars per day for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Pay of Senators and Assemblymen.

Officers not to receive perquisites.

Apportionment of Senators and Assemblymen.

SEC. 6. Until otherwise provided by law, the apportionment of Senators and Assemblymen in the different counties shall be as follows, to wit: Storey County, four Senators and twelve Assemblymen; Douglas County, one Senator and two Assemblymen; Esmeralda County, two Senators and four Assemblymen; Humboldt County, two Senators and three Assemblymen; Lander County, two Senators and four Assemblymen; Lyon County, one Senator and three Assemblymen; Lyon and Churchill Counties, one Senator, jointly; Churchill County, one Assemblyman; Nye County, one Senator and one Assemblyman; Ormsby County, two Senators and three Assemblymen; Washoe and Roop Counties, two Senators and three Assemblymen.

Territorial indebtedness assumed.

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the State from contracting the additional indebtedness, as provided in section three of Article IX of this Constitution.

Term of State officers.

SEC. 8. The term of State officers (except judicial) elected at the first election under this Constitution, shall continue until the Tuesday after the first Monday of January, A. D. eighteen

hundred and sixty-seven, and until the election and qualification of their successors.

SEC. 9. The Senators to be elected at the first election under this Constitution shall draw lots, so that the term of one half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing lots for all Senatorial terms, the Senatorial representation shall be allotted so that in the counties having two or more Senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms. Term of
Senators.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of Senators shall be for four years from the day succeeding such general election, and members of Assembly for two years from the day succeeding such general election, and the terms of Senators shall be allotted by the Legislature in long and short terms, as hereinbefore provided, so that one half the number, as nearly as may be, shall be elected every two years. Term of
Senators
fixed.

SEC. 11. The term of the members of the Assembly elected at the first general election under this Constitution, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six. Term of
Assembly-
men.

SEC. 12. The first regular session of the Legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven, and the regular sessions of the Legislature shall be held thereafter biennially, commencing on the first Monday of January. Sessions of
Legislature

SEC. 13. All county officers under the laws of the Territory of Nevada, at the time when the Constitution shall take effect, whose offices are not inconsistent with the provisions of this Constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the Probate Judges of the several counties respectively shall continue in office until the election and qualification of the District Judges of the several counties or Judicial Districts; and, *provided further*, that the terms of office of the present county officers of Lander County shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the Probate Judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen hundred and sixty-four, and there shall be an election for county County
officers
continued
in office.
Township
officers.
Proviso.
County
officers of
Lander
County.

officers of Lander County at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified.

Territorial
officers
continued
in office
until time
for qualifi-
cation of
State
officers.

SEC. 14. The Governor, Secretary, Treasurer, and Superintendent of Public Instruction of the Territory of Nevada, shall each continue to discharge the duties of their respective offices after the admission of this State into the Union, and until the time designated for the qualification of the above named officers to be elected under the State Government; and the Territorial Auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the State Controller; *provided*, that the said officers shall each receive the salaries and be subject to the restrictions and conditions provided in this Constitution; *and, provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

Terms
of Courts
determined

SEC. 15. The terms of the Supreme Court shall, until provision be made by law, be held at such times as the Judges of the said Court, or a majority of them, may appoint. The first terms of the several District Courts, (except as hereinafter mentioned,) shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the District Court in the Fifth Judicial District shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the County of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five in the County of Churchill. The terms of the Fourth Judicial District Court shall, until otherwise provided by law, be held at the county seat of Washoe County, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

Salaries of
District
Judges.

SEC. 16. The Judges of the several District Courts of this State shall be paid as hereinbefore provided, salaries at the following rates per annum: First Judicial District, (each Judge,) six thousand dollars; Second Judicial District, four thousand dollars; Third Judicial District, five thousand dollars; Fourth Judicial District, five thousand dollars; Fifth Judicial District, thirty-six hundred dollars; Sixth Judicial District, four thousand dollars; Seventh Judicial District, six thousand dollars; Eighth Judicial District, thirty-six hundred dollars; Ninth Judicial District, five thousand dollars.

Salary of
District
Judge
may be
changed.

SEC. 17. The salary of any Judge in said Judicial Districts may, by law, be altered or changed, subject to the provisions contained in this Constitution.

State
officers,
when to
qualify.

SEC. 18. The Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, Surveyor General, Clerk of the Supreme Court, and Superintendent of Public Instruction, to be elected at the first election under this Constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election, and shall continue in office until the first

Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively. Expiration of term.

SEC. 19. The Judges of the Supreme Court and District Judges to be elected at the first election under this Constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election. Judges, when to qualify.

SEC. 20. All officers of State, and District Judges first elected under this Constitution, shall be commissioned by the Governor of this Territory, which commission shall be countersigned by the Secretary of the same, and shall qualify, before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this Territory; and also the State Controller and State Treasurer shall each respectively, before they qualify and enter upon the discharge of their duties, execute and deliver to the Secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the Governor of the Territory of Nevada; and shall also execute and deliver to the Secretary of State such other or further official bond or bonds as may be required by law. Officers to be commissioned by the Governor.
Controller and Treasurer to execute bond.

SEC. 21. Each county, town, city, and incorporated village shall make provision for the support of its own officers, subject to such regulations as may be prescribed by law. Support of county, town, city and village officers.

SEC. 22. In case the office of any Justice of the Supreme Court, District Judge, or other State officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term. Vacancy in office of Justice of Supreme Court, District Judge, or other State officer, how filled.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the Probate Courts of the several counties at the time when, under the provisions of this Constitution, said Probate Courts are to be abolished, shall be transferred to and determined by the District Courts of such counties respectively. Cases in Probate Courts to be transferred to District Courts.

SEC. 24. For the first three years after the adoption of this Constitution the Legislature shall not levy a tax for State purposes exceeding one per cent per annum on the taxable property of the State; *provided*, the Legislature may levy a special tax, not exceeding one fourth of one per cent per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid. Taxation restricted.

SEC. 25. The County of Roop shall be attached to the County of Washoe for judicial, legislative, revenue, and county purposes, until otherwise provided by law. Roop and Washoe Counties.

SEC. 26. At the first regular session of the Legislature to convene under the requirements of this Constitution provision shall be made by law for paying for the publication of six hundred copies of the debates and proceedings of this Convention, in book form, to be disposed of as the Legislature may direct; Provision for publication of debates, etc.

Payment
of Official
Reporter.

Compensation.

and the Hon. J. Neely Johnson, President of this Convention, shall contract for, and A. J. Marsh, Official Reporter of this Convention, under the direction of the President, shall supervise the publication of such debates and proceedings. Provision shall be made by law at such first session of the Legislature for the compensation of the Official Reporter of this Convention, and he shall be paid in coin or its equivalent. He shall receive, for his services in reporting the debates and proceedings, fifteen dollars per day during the session of the Convention, and seven and one half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication; and for supervising and indexing such publication, the sum of fifteen dollars per day during the time actually engaged in such service.

ELECTION ORDINANCE.

Election
ordinance.

WHEREAS, The Enabling Act passed by Congress, and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the Convention charged with the duty of framing a Constitution for a State Government, "shall provide by ordinance for submitting said Constitution to the people of the Territory of Nevada, for their ratification or rejection," on a certain day prescribed therein; therefore, this Convention, organized in pursuance of said Enabling Act, do establish the following

ORDINANCE:

Governor
to issue
proclamation
for
submission
of Constitution.

SECTION 1. The Governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of this Constitution to the people of said Territory, for their approval or rejection, on the day provided for such submission by Act of Congress; and this Constitution shall be submitted to the qualified electors of said Territory, in the several counties thereof, for their approval or rejection, at the time provided by such Act of Congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said Territory for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors.

Qualified
voters.

SEC. 2: All persons, qualified by the laws of said Territory to vote for Representatives to the General Assembly, on the said twenty-first day of March, including those in the Army of the United States, both within and beyond the boundaries of said Territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid Army of the United States, within and without the boundaries of said Territory, may vote for the adoption or rejection of said Constitution, on the day last above named. In voting upon this Constitution, each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or printed, "Constitution—Yes," or "Constitution—No," or such

other words that shall clearly indicate the intention of the elector.

SEC. 3. All persons qualified by the laws of said Territory to vote on the Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, including those in the Army of the United States, within and beyond the boundaries of said Territory, may vote on the day last above named, for State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors to the Electoral College. What officers may be voted for.

SEC. 4. The elections provided in this ordinance shall be holden at such places as shall be designated by the Boards of Commissioners of the several counties in said Territory. The Judges and Inspectors of said elections shall be appointed by said Commissioners, and the said elections shall be conducted in conformity with the existing laws of said Territory in relation to holding the general election. How election to be conducted.

SEC. 5. The Judges and Inspectors of said elections shall carefully count each ballot immediately after such elections, and forthwith make duplicate returns thereof to the Clerks of the said County Commissioners of their respective counties; and said Clerks, within fifteen days after said elections, shall transmit an abstract of the votes, including the soldiers' vote, as herein provided, given for State officers, Supreme and District Judges, Representative in Congress, and three Presidential Electors, inclosed in an envelope, by the most safe and expeditious conveyance, to the Governor of said Territory, marked "Election Returns." Returns, how made.

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the Board of Canvassers, to consist of the Governor, United States District Attorney, and Chief Justice of said Territory, or any two of them, to canvass the returns in the presence of all who may wish to be present; and if a majority of all the votes given upon this Constitution shall be in its favor, the said Governor shall immediately publish an abstract of the same, and make proclamation of the fact, in some newspaper in said Territory, and certify the same to the President of the United States, together with a copy of the Constitution and Ordinance. The said Board of Canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected State officers, Judges of the Supreme and District Courts, Representative in Congress, and three Presidential Electors. When the President of the United States shall issue his proclamation declaring this State admitted into the Union on an equal footing with the original States, this Constitution shall thenceforth be ordained and established as the Constitution of the State of Nevada. Board of Canvassers. Governor to publish abstract of votes, and issue proclamation. Constitution established

SEC. 7. For the purpose of taking the vote of the electors of said Territory who may be in the army of the United States, the Adjutant General of said Territory shall, on or before the fifth day of August next following, make out a list, in alpha- Votes of soldiers, how taken.

betical order, and deliver the same to the Governor, of the names of all the electors, residents of said Territory, who shall be in the Army of the United States, stating the number of the regiment, battalion, squadron, or battery, to which he belongs, and also the county or township of his residence in said Territory.

Governor
to classify
return lists.

SEC. 8. The Governor shall classify and arrange the aforesaid returned list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron, and battery from said Territory, in the service of the United States, and shall, on or before the fifteenth day of August following, transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron, and battery, a list of electors belonging thereto, which said list shall specify the name, residence, and rank of each elector, and the company to which he belongs, if to any, and also the county and township to which he belongs, and in which he is entitled to vote.

Time of
holding
election.

Under
whose
direction.

SEC. 9. Between the hours of nine o'clock A. M. and three o'clock P. M., on each of the election days hereinbefore named, a ballot box, or suitable receptacle for votes, shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said Territory, in the Army of the United States, may be on that day; at which time and place said elector shall be entitled to vote for all officers for which, by reason of their residence in the several counties in said Territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken and held to have been given by them in the respective counties and townships in which they are resident.

Ballot,
what to
contain.

SEC. 10. Each ballot deposited for the adoption or rejection of this Constitution, in the Army of the United States, shall have distinctly written or printed thereon "Constitution, Yes," or "Constitution, No," or words of a similar import; and, further, for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting, as aforesaid, shall be checked upon the said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall count the votes and compare them with the checked list immediately after the closing of the ballot box.

Officers'
duty.

Returns,
when and
where to
be made.

SEC. 11. All the ballots cast, together with the said voting list, checked as aforesaid, shall be immediately sealed up and sent forthwith to the Governor of said Territory, at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the said Governor, at Carson City, by mail or otherwise, the day following the transmission

of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several County Clerks in said Territory, an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The form of returns of votes to be made by the commanding officer to the Governor and County Clerks of said Territory shall be in substance as follows, viz: Form of
returns.

"Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery.)

(For first election—on the Constitution.)

I, ———, hereby certify, that on the first Wednesday of September, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery) cast the following number of votes for and against the Constitution for the State of Nevada, viz:

For Constitution—(number of votes written in full and in figures.)

Against Constitution—(number of votes written in full and in figures.)

(Second election—for State and other officers.)

I, ———, hereby certify, that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above) cast the following number of votes for the several officers and persons hereinafter named, viz:

For Governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person.)

For Lieutenant Governor—(names of candidates, number of votes cast for each written out, and in figures, as above.)

Continue as above till the list is completed.

Attest:

I. A. B.,

Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be.)

SEC. 13. The Governor of this Territory is requested to furnish each commanding officer, within and beyond the boundaries of said Territory, proper and sufficient blanks for said returns. Blank
returns
to be
furnished.

SEC. 14. The provisions of this Ordinance in regard to the soldiers' vote shall apply to future elections under this Constitution, and be in full force until the Legislature shall provide by law for taking the votes of citizens of said Territory in the Army of the United States. Provisions
to apply
to future
elections.

Done in Convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-ninth, and signed by the Delegates.

J. NEELY JOHNSON,

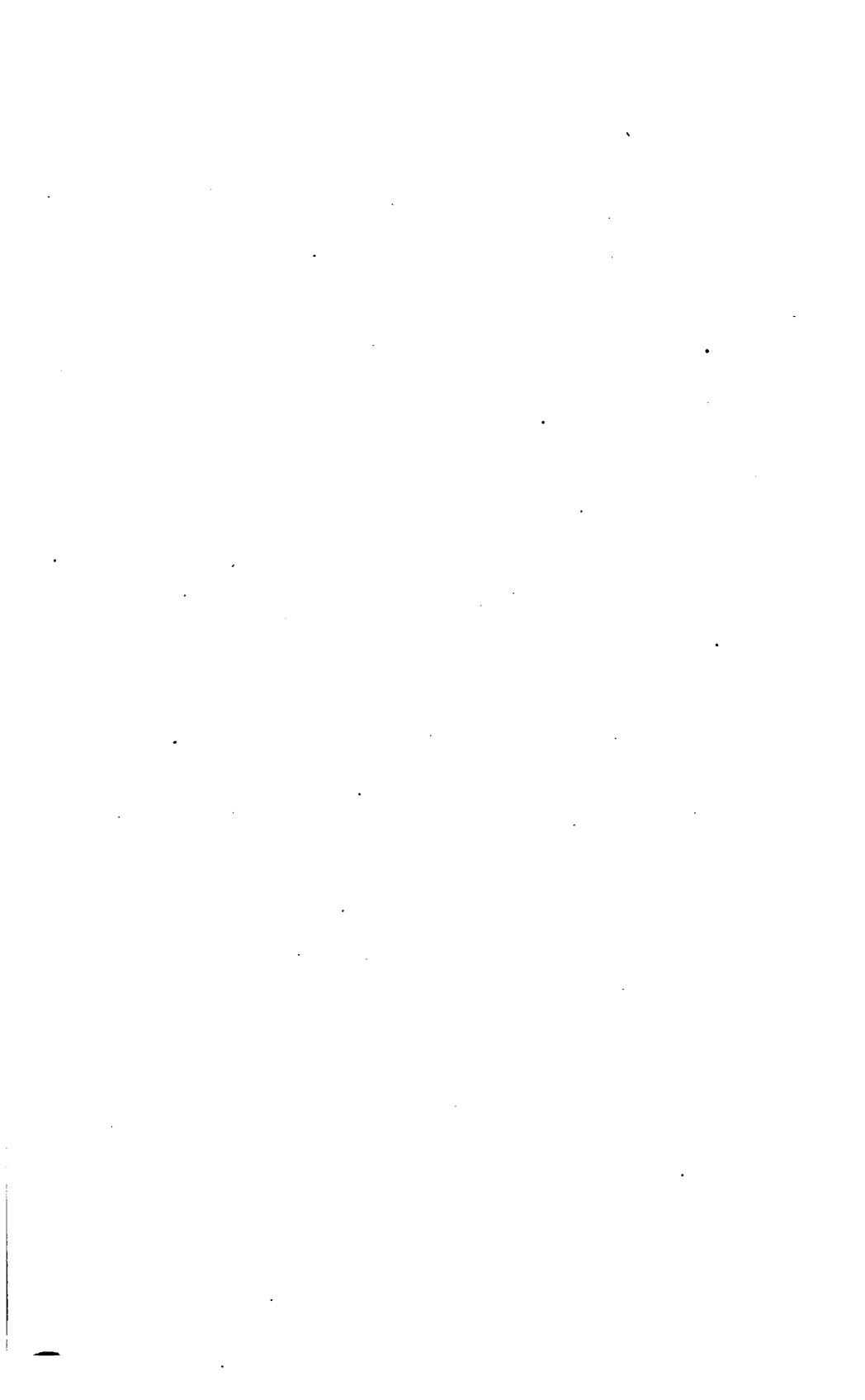
President of the Convention and Delegate from Ormsby County.

WM. M. GILLESPIE, Secretary.

Delegates
to Conven-
tion.

Henry B. Brady.....	Delegate from Washoe County.
E. F. Dunne.....	Delegate from Humboldt County.
J. G. McClinton.....	Delegate from Esmeralda County.
G. N. Folsom.....	Delegate from Washoe County.
F. H. Kennedy.....	Delegate from Lyon County.
W. W. Belden.....	Delegate from Washoe County.
F. M. Proctor.....	Delegate from Nye County.
Albert T. Hawley.....	Delegate from Douglas County.
Geo. L. Gibson.....	Delegate from Ormsby County.
F. Tagliabue.....	Delegate from Nye County.
Wm. Wetherill.....	Delegate from Esmeralda County.
Jno. A. Collins.....	Delegate from Storey County.
Jas. A. Banks.....	Delegate from Humboldt County.
J. S. Crosman.....	Delegate from Lyon County.
Sam'l A. Chapin.....	Delegate from Storey County.
C. M. Brosnan.....	Delegate from Storey County.
John H. Kinkead.....	Delegate from Ormsby County.
Geo. A. Hudson.....	Delegate from Lyon County.
Israel Crawford.....	Delegate from Ormsby County.
A. J. Lockwood.....	Delegate from Ormsby County.
H. G. Parker.....	Delegate from Lyon County.
J. H. Warwick.....	Delegate from Lander County.
C. E. DeLong.....	Delegate from Storey County.
Lloyd Frizell.....	Delegate from Storey County.
Geo. A. Nourse.....	Delegate from Washoe County.
B. S. Mason.....	Delegate from Esmeralda County.
Almon Hovey.....	Delegate from Storey County.
Thomas Fitch.....	Delegate from Storey County.
J. W. Haines.....	Delegate from Douglas County.

LIST OF OFFICERS.



LIST OF OFFICERS.

NAMES AND RESIDENCES OF STATE OFFICERS, JUSTICES OF THE
SUPREME COURT, SENATORS, ASSEMBLYMEN, PRESIDING
OFFICERS, AND OFFICERS OF BOTH HOUSES IN
OFFICE AT THE TIME OF THE PASSAGE
OF THE LAWS CONTAINED IN
THIS VOLUME.

EXECUTIVE DEPARTMENT.

Name.	Position.	Residence.
L. R. Bradley.....	Governor	Carson City.
Crit. Thornton.....	Private Secretary.....	Carson City.
Frank Denver.....	Lieutenant Governor.....	Carson City.
L. A. Buckner.....	Attorney General.....	Carson City.
J. D. Minor.....	Secretary of State.....	Carson City.
Charles Martin.....	Deputy Secretary of State.....	Carson City.
W. W. Hobart.....	State Controller.....	Carson City.
Theo. A. Hale.....	Deputy State Controller.....	Carson City.
Jerry Schooling.....	State Treasurer	Carson City.
M. L. Yager.....	Deputy State Treasurer.....	Carson City.
John Day.....	Surveyor General.....	Carson City.
S. H. Day.....	Deputy Surveyor General	Carson City.
A. N. Fisher.....	Superintendent of Public Instruction..	Carson City.
C. A. V. Putnam.....	State Printer.	Carson City.
H. R. Whitehill.....	State Mineralogist.....	Carson City.
J. J. Linn.....	State Librarian	Carson City.

JUDICIAL DEPARTMENT.

Name.	Position.	Residence.
B. C. Whitman.....	Chief Justice	Carson City.
T. P. Hawley.....	Associate Justice.....	Carson City.
C. H. Belknap.....	Associate Justice.....	Carson City.
Alfred Helm.....	Clerk	Carson City.

LEGISLATIVE DEPARTMENT.

SENATE—OFFICERS.

Name.	Position.	Residence.
Frank Denver.....	President ex officio.....	Carson City.
Israel Crawford.....	President pro tem.....	Carson City.
C. F. Bicknell.....	Secretary	Carson City.
T. A. Waterman.....	Assistant Secretary.....	Elko.
B. E. Burnes.....	Minute Clerk	Palisade.
R. R. Parkinson.....	Journal Clerk.....	Carson City.
Joseph Josephs.....	Engrossing Clerk	Virginia City.
M. D. Hatch.....	Copying Clerk.....	Carson City.
G. B. Allen.....	Chaplain	Carson City.
A. K. Lamb.....	Sergeant-at-Arms	Reno.
L. D. Noyes.....	Assistant Sergeant-at-Arms	Silver City.
J. D. Bradley.....	Page	Carson City.
J. W. Smith.....	Page	Crystal Peak.
Willie McDade.....	Page	Gold Hill.
Simon Kinney.....	Messenger	Virginia City.

LIST OF OFFICERS.

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SENATE—MEMBERS.

Name.	County.	Residence.
Frank Campbell.....	Esmeralda	Wadsworth.
G. W. Cassidy.....	Lander	Eureka.
R. S. Clapp.....	Lincoln	Pioche.
A. C. Cleveland.....	White Pine.....	Hamilton.
Israel Crawford.....	Ormsby	Carson City.
T. S. Davenport.....	Lyon	Silver City.
C. H. Eastman.....	Washoe.....	Reno.
L. T. Fox.....	Storey.....	Gold Hill.
J. C. Hazlett.....	Lyon	Dayton.
William Hill.....	Churchill.....	St. Clair's Station.
W. S. Hobart.....	Storey.....	Virginia City.
A. J. Lockwood.....	Ormsby	Empire.
W. W. McCoy.....	Lander	Eureka.
J. G. McClinton.....	Esmeralda.....	Aurora.
G. F. Mills	White Pine.....	Hamilton.
J. B. Moore.....	Elko.....	Ruby Valley.
Robert McBeth	Humboldt.....	Galena.
James Phelan.....	Storey.....	Virginia City.
J. W. Small.....	Douglas	Lake Valley.
C. C. Stevenson.....	Storey.....	Gold Hill.
William Thompson	Washoe.....	Franktown.
C. S. Varian.....	Humboldt.....	Unionville.
D. P. Walter	Nye	Belmont.
J. R. Wilson.....	Lincoln	Pioche.

ASSEMBLY—OFFICERS.

Name.	Position.	Residence.
John Bowman.....	Speaker	Belmont.
O. H. Grey.....	Speaker pro tem.....	Shellbourn.
A. Whitford.....	Clerk	Genoa.
J. M. Woodworth.....	Assistant Clerk.....	Carlin.
G. W. Rogers.....	Minute Clerk.....	Gold Hill.
William N. Johnson.....	Engrossing Clerk	Carson City.
M. Y. Stewart.....	Copying Clerk	Carson City.
W. A. Brophy.....	Copying Clerk.....	Belmont.
T. W. McGovern	Journal Clerk.....	Elko.
Richard Paddock.....	Sergeant-at-Arms.....	Virginia City.
M. C. Hickey.....	Assistant Sergeant-at-Arms	Dayton.
Henry Keyser.....	Page	Carson City.
C. E. Gault.....	Page	Virginia City.
Ormsby Musser.....	Page	Carson City.
Charles Read	Page	Carson City.
William Randall.....	Paper Folder	Gold Hill.
W. L. Taylor.....	Messenger	Carson City.

ASSEMBLY—MEMBERS.

Name.	County.	Residence.
T. M. Adams	Storey.....	Virginia City.
C. Allen.....	Churchill.....	St. Clair's Station.
N. G. Andrews.....	Storey.....	Gold Hill.
Richard Arnold.....	Storey.....	Virginia City.
John Bowman.....	Nye.....	Belmont.
P. M. Bruner.....	Esmeralda.....	Pine Grove.
J. H. Burgess.....	Lander.....	Austin.
W. H. Carpenter.....	Esmeralda.....	Columbus.
F. W. Cole.....	White Pine.....	Hamilton.
P. A. Craigue.....	Lincoln.....	Pioche.
James Crawford.....	Lyon.....	Dayton.
H. F. Dangberg.....	Douglas.....	Genoa.
C. Derby.....	Storey.....	Virginia City.
F. V. Drake.....	Lander.....	Austin.
E. J. Elzy.....	Lander.....	Eureka.
Jacob Fox.....	Storey.....	Gold Hill.
J. B. Gallagher.....	Esmeralda.....	Wadsworth.
O. H. Grey.....	White Pine.....	Shellbourn.
T. M. Hart.....	Lyon.....	Silver City.
J. H. Hoppin.....	Humboldt.....	Winnemucca.
R. L. Horton.....	Lander.....	Austin.
W. D. Keyser.....	Ormsby.....	Carson City.
F. Lemmon.....	Washoe.....	Reno.
D. B. Lyman.....	Ormsby.....	Empire.
T. P. Mack.....	Lyon.....	Silver City.
Ed. Matthews.....	White Pine.....	Treasure City.
W. R. McCall.....	Esmeralda.....	Walker River.
G. H. Morrison.....	Storey.....	Gold Hill.
Samuel Owen.....	Storey.....	Virginia City.
J. G. Prague.....	Nye.....	Twin River.
W. E. Price.....	Washoe.....	Washoe Valley.
John Randall.....	Storey.....	Gold Hill.
T. B. Rickey.....	Douglas.....	Walker River.
Thomas Robinson.....	White Pine.....	Hamilton.
J. M. Sanford.....	Churchill.....	Stillwater.
J. A. Savage.....	Elko.....	Sprucemont.
E. C. Sessions.....	Washoe.....	Reno.
W. B. Shepperd.....	Storey.....	Virginia City.
P. L. Shoaff.....	Lincoln.....	Pioche.
J. P. Smith.....	Storey.....	Virginia City.
E. L. Stern.....	Storey.....	Gold Hill.
C. H. Stoddard.....	Humboldt.....	Winnemucca.
H. C. Street.....	Elko.....	Elko.
Jacob Tobriner.....	Ormsby.....	Carson City.
J. O. Twiss.....	Humboldt.....	Dun Glen.
D. C. Vinnedge.....	White Pine.....	Treasure City.
Thomas Wallace.....	Lincoln.....	Pioche.
J. W. Wilson.....	Storey.....	Virginia City.

LAWS OF THE STATE OF NEVADA.



LAWS OF THE STATE OF NEVADA,

PASSED AT THE

SIXTH SESSION OF THE LEGISLATURE, 1873.

CHAPTER I.—*An Act to create certain Legislative Funds.*

[Approved January 15, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the salaries of the members and attachés of the present Legislature, the mileage of the members, and the incidental expenses of the same, the Treasurer of State is hereby authorized and required to set apart from any moneys now in the General Fund, not otherwise specifically appropriated, the sum of seventy-five thousand dollars, which shall constitute a Fund to be denominated the State Legislative Fund. The State Controller is hereby authorized and required to draw his warrants on said Fund in favor of the members and attachés of the present Senate and Assembly, for mileage and compensation due, when properly certified to him in accordance with law.

SEC. 2. The State Treasurer is hereby authorized and required to set apart from any moneys coming into the State Legislative Fund, created by section first of this Act, the sum of seven thousand dollars—three thousand of which shall constitute the Contingent Fund of the Senate, and four thousand dollars shall constitute the Contingent Fund of the Assembly. The said Contingent Funds shall be under the exclusive control of the Senate and Assembly respectively. Each House may direct the payment of moneys from its own Contingent Fund by resolution, and the Controller of State is hereby authorized and required to draw his warrant in accordance therewith. Said Funds are hereby exempted from the opera-

State
Legislative
Fund
created.

Contingent
Funds.

To be
under
exclusive
control of
Senate and
Assembly.

Exempt
from Act
relating to
Board of
Examiners.

Money
remaining
to revert to
General
Fund.

tion of an Act entitled "An Act relating to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Contrôller and Treasurer," approved February seventh, eighteen hundred and sixty-five.

SEC. 3. Any money that may remain in either of the Funds created by this Act, upon the adjournment of the Legislature, shall revert to the General Fund.

CHAP. II.—*An Act to transfer certain moneys from the Indigent Sick and Contingent Funds of Esmeralda County to the Redemption Fund of said county.*

[Approved January 29, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Money
transferred
to
Redemption
Fund.

SECTION 1. The sum of five hundred dollars of the Indigent Sick Fund, and also the sum of five hundred dollars of the Contingent Fund, of the County of Esmeralda, are hereby transferred to the Redemption Fund of said county.

Treasurer
authorized
to transfer
money.

SEC. 2. The County Treasurer of Esmeralda County is hereby authorized and required to transfer from said Indigent Sick and Contingent Funds, to the Redemption Fund of said county, the sums hereinbefore specified in section one of this Act.

Repeal.

SEC. 3. All Acts, or parts of Acts, in conflict with this Act, are hereby repealed.

Act to be
in force.

SEC. 4. This Act shall be in force from and after its passage.

CHAP. III.—*An Act to regulate and tax foreign insurance companies doing business in this State.*

[Approved January 31, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Foreign
insurers
to file
documents
with
Contrôller.

SECTION 1. From and after the passage of this Act, it shall be unlawful for any person or firm, officer or agent, to collect premiums of insurance in this State, in any manner, or in any capacity whatsoever, on either life, fire, or inland risks, for or on account of any company, association, or individual insurer, not incorporated under the laws of this State, unless such person or firm, officer or agent, shall have first filed with the Contrôller of State the following described documents:

Documents
to be filed.

First—A certified copy of the power of attorney, certificate of agency, open policy, commission, or other authority or agree-

ment under which such person, firm, officer, or agent, shall claim to be authorized to collect premiums of insurance in this State.

Second—A good and sufficient bond, to be signed by the person or firm, officer or agent, so authorized by the power of attorney, or other authority as aforesaid, as principal, with two good and sufficient sureties, to be approved by the Controller, in the penal sum of two thousand dollars, for each fire insurance company, or one thousand dollars for each life insurance company, or three thousand dollars for each inland insurance company, association, firm, or individual, not incorporated under the laws of this State, for whose account it is proposed to collect premiums of insurance in this State; the conditions of such bonds to be as follows, viz: First, that the person or firm, agent or officer, named therein, acting on behalf of the company, association, firm, or individual, named therein, will pay to the Treasurer of the county, or city and county, in which the principal office of the agency shall be located, such sum per quarter, quarterly in advance, for a license to transact an insurance business, or such other license or licenses as are or may be imposed by law, so long as the agency shall remain in the hands of the person or firm, officer or agent, named as principal in the bond. Second, that the person or firm, officer or agent, so specified as above, will pay, or cause to be paid to the State, all stamp duties on the gross amounts insured by them, in such manner and at such time as may be prescribed by law, inclusive of renewals on existing policies. Third, that within thirty days after the first day of June, in the year of our Lord one thousand eight hundred and seventy-three, and within thirty days after the first of June in each succeeding year, the agent or officer named in the bond shall render to the Treasurer of the county, or city and county, in which the principal office of the agency shall be located, a statement sworn to by him, and exhibiting the gross amounts of premiums collected by the agency, inclusive of the amounts collected by sub-agents throughout the State, for each company or association, firm or individual insurer represented by him or them respectively, from which shall be deducted the gross amount of return premiums. The first statement shall exhibit the amounts so collected between the first day of February and the first day of June, in the year of our Lord one thousand eight hundred and seventy-three, and subsequent statements shall exhibit the amounts so collected during the year terminating on the first day of June in each year respectively, and that on filing the statements as herein required, the agent or agents or officer named in the bond shall pay to the Treasurer of the county, or city and county aforesaid, a tax of two per cent. on the amount of gross premiums, after deducting return premiums, as set forth in his statement, and collected from fire and inland risks, and a tax of one per cent on the amount of premiums collected from life risks. And for the purposes of this Act, all premiums shall be deemed to have been collected which have been entered upon the books of the agency.

SEC. 2. For the purposes of this Act, all persons, firms, and officers of companies or associations, not incorporated under the

Same.
bond.

Conditions
of bond.

Stamp
duties.

Statement.

What
statement
shall
exhibit.

Who
deemed
agents.

Express companies.	<p>laws of this State, and engaged in collecting premiums of insurance, directly or indirectly, on fire, life, or inland risks, shall be deemed to be agents of foreign insurance companies, and liable to all the provisions of this Act; and all express companies not so incorporated, as aforesaid, engaged in the carriage of treasure or merchandise from and within this State, and insuring the same, whether themselves assuming the risks, or whether the risks be reinsured by companies or associations not chartered by this State, shall be deemed foreign insurers within the meaning of this Act, and shall be required to file with the Controller a separate bond for each express company taking risks as aforesaid, and for each foreign company or association reinsuring them on such risks.</p>
Separate bond.	<p>SEC. 3. Every person or firm who shall effect, agree to effect, or procure any insurance for citizens of this State, from or on account of any insurers or insurance companies whatever, not incorporated under the laws of this State, from and after the passage of this Act, without first having executed and filed the bond required in section one of this Act, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined in the sum of two thousand dollars for each company or association on whose account such insurance shall have been effected; one half of such fine to be for the use of the State, and one half for the benefit of the informer. But nothing herein contained shall apply to the sub-agents or employes of any principal agent who shall have complied with the requirements of this Act.</p>
Violation of Act.	<p>SEC. 4. A copy of the bond herein required to be filed with the Controller, certified by that officer, shall be filed with the Treasurer of the county, or city and county, where the principal office of the agency shall be located, before any license shall be issued to any agent for the transaction of insurance business, and shall remain on file in the office of the County Treasurer until he is notified in writing, by the Controller, of the termination of the agency and cancellation of the bond.</p>
Copy of bond to be filed with County Treasurer, etc.	<p>SEC. 5. Whenever the same person, firm, officer, or agent shall desire to collect premiums of insurance for more than one company, association, or individual, not incorporated under the laws of this State, the Controller shall require a separate bond, as provided in section one, for each company or association so represented by such person, firm, officer, or agent.</p>
Separate bond for each company.	<p>SEC. 6. If any agent or officer of a foreign insurance company, as defined in section two of this Act, shall make any false statement, concealment, or misrepresentation in the sworn statement required by section one of this Act, with the intent to defraud the State of revenue, he shall be deemed guilty of perjury, and shall be liable, on conviction thereof, to the pains and penalties as provided by law for the punishment thereof. All penalties imposed by this Act shall be collected in the name of the people of this State, by the prosecuting attorney of the county, or city and county, where the offense shall have been committed.</p>
False statement.	<p>SEC. 7. Said companies and associations shall duly execute, acknowledge, and deliver, and cause to be duly recorded in the office of the Controller of State, a good and sufficient power of attorney, to some person who shall be a citizen of the United</p>
Penalties, how collected.	
Power of attorney to be filed.	

States and a citizen and resident of the State of Nevada, which power, so long as such company shall have outstanding policies of insurance in said State, shall be irrevocable, except by substitution of other person or persons qualified as aforesaid, authorizing and empowering such attorney or attorneys to accept service of all writs and processes requisite and necessary to the complete acquisition of jurisdiction of such company by any of the Courts of this State, or United States Courts therein, and constituting such attorney or attorneys the authorized agent or agents of such company, upon whom lawful and valid service of all writs and process may be made, in all actions or special proceedings instituted by or against any such company, in any of the Courts of this State, or in any Federal Court within this State, and which shall be necessary to the acquisition or complete exercise of the jurisdiction aforesaid of said Courts.

SEC. 8. There shall be levied upon and collected from each person, firm, officer, or agent collecting premiums of insurance in this State, or in any manner or in any capacity whatsoever, on either fire, life, or inland risks, for or on account of any company, association, corporation, or individual, a license tax of twenty-five dollars per quarter year, payable quarterly in advance, to such officer as may be appointed under the revenue laws of this State. Such Collector shall account for and pay over the same at the time and in the manner that may be provided by law for the payment of other State and county licenses; the Treasurer of the county, or city and county, shall pay into the State Treasury all moneys collected under the provisions of this Act, at the same time and in the same manner as other moneys belonging to this State may be required to be paid; but nothing contained in this Act shall be construed to apply to sub-agencies reporting to and under control of the agent at the city, or city and county, where the principal office of the agency shall be located, and all requirements of this Act shall be complied with by the principal agent as aforesaid, who shall be deemed the agent for that purpose.

License tax to be levied and collected.

When paid over, etc.

To be paid into State Treasury.

Sub-agencies.

SEC. 9. Every willful violation of the provisions of this Act shall be deemed a misdemeanor, and subject the party violating to a penalty of five hundred dollars for each violation, which shall be sued for and recovered in the name of the State of Nevada, by the District Attorney of the county in which the company or the agent or agents so violating shall be situated; and the said penalty, when recovered, shall be paid into the Treasury of said county. In case of non-payment of such penalty, the party offending shall be liable to imprisonment for a period not exceeding six months, in the discretion of any Court having jurisdiction thereof.

Violation of Act.

SEC. 10. Chapter LXXX (80), entitled "An Act to tax and regulate foreign insurance companies doing business in this State," approved March sixth, eighteen hundred and seventy-one (Laws of 1871), and all Acts and parts of Acts in relation to insurance companies inconsistent with the provisions of this Act, are hereby repealed.

Repeal.

CHAP. IV.—*An Act to amend an Act entitled "An Act to create the County of Elko, and provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine.*

[Approved January 31, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said Act, of which this Act is amendatory, is hereby amended so as to read as follows:

Represent-
ation.

Section Six. Said County of Elko shall be entitled to, and elect at the next general election, two Senators and four Assemblymen. One of said Senators shall be elected for and shall hold office as Senator for the term of two years, and the other Senator shall be elected for and shall hold office for the term of four years; and at every general election thereafter, there shall be elected one Senator to hold office for the term of four years, and four Assemblymen to hold office for the term of two years.

CHAP. V.—*An Act to provide firemen for the furnaces of the Capitol building during the sessions of the Legislature.*

[Approved February 4, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Secretary
of State
authorized
to appoint
firemen.

SECTION 1. The Secretary of State is hereby authorized and empowered to appoint firemen for the furnaces of the Senate and Assembly chambers, respectively, during the sessions of the Nevada Legislature.

Salary.

SEC. 2. Said firemen shall receive a salary of four dollars per day, to be paid out of the Contingent Funds of the Senate and Assembly.

CHAP. VI.—*An Act concerning the determination of conflicting rights to mining claims in certain cases.*

[Approved February 10, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Actions to
determine
right of
possession
of mining
claims.

SECTION 1. In all actions brought to determine the right of possession of a mining claim, or metalliferous vein or lode, where an application has been made to the proper officers of the

Government of the United States by either of the parties to such action for a patent for said mining claim, vein, or lode, it shall only be necessary to confer jurisdiction on the Court to try said action, and render a proper judgment therein, that it appear that an application for a patent for such mining claim, vein, or lode, has been made, and that the parties to said action are claiming such mining claim, vein, or lode, or some part thereof, or the right of possession thereof.

Jurisdiction.

CHAP. VII.—*An Act concerning official bonds of Justices of the Peace and Constables.*

[Approved February 10, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Each Justice of the Peace hereafter elected or appointed in this State shall, before entering upon the duties of his office, take the oath prescribed by law, and execute a bond to the State of Nevada, to be approved by the Board of County Commissioners, in the penal sum of not less than one thousand dollars nor more than five thousand dollars, as may be designated by such Board of County Commissioners; which bond shall be conditioned for the faithful performance of the duties of his office, and shall be filed in the County Clerk's office.

Justice of the Peace, oath and bond of.

SEC. 2. Each Constable hereafter elected or appointed in this State shall, before entering upon the duties of his office, take the oath prescribed by law, and execute a bond to the State of Nevada, to be approved by the Board of County Commissioners, in the penal sum of not less than one thousand dollars nor more than three thousand dollars, as may be designated by such Board of County Commissioners; which bond shall be conditioned for the faithful performance of the duties of his office, and shall be filed in the County Clerk's office.

Constable, oath and bond of.

SEC. 3. All Acts, and parts of Acts, in conflict with the provisions of this Act, are hereby repealed.

Repeal.

CHAP. VIII.—*An Act authorizing the School Trustees of School District Number One, of Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district.*

[Approved February 11, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of School Trustees of School District Number One, Ormsby County, are hereby authorized to issue

Trustees authorized to issue interest warrants.

interest-bearing warrants, payable in not exceeding two years, and for a sum not exceeding, in all, five thousand dollars.

How
issued.

SEC. 2. Said warrants shall be payable to bearer, and issued in sums not less than one hundred dollars, with interest, payable semi-annually, at not exceeding one and one half per cent. per month.

CHAP. IX.—*An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five.*

[Approved February 11, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Election
of State
Printer.

Laws
applicable
to election.

Section two
repealed.

When to
qualify and
give bond.

Amount
of bond.

SECTION 1. Section one of the Act of which this Act is amendatory, is hereby amended so as to read as follows:

Section One. There shall be elected at the general election to be held in the year one thousand eight hundred and seventy-four, and every four years thereafter, by the qualified electors of the State of Nevada, a State Printer, who shall hold his office for four years, and until his successor shall have been elected and qualified; and all laws and parts of laws, applicable to the election and commission of other State officers, together with the proclamation of the Governor, shall be applicable to the election of the said State Printer, as nearly as the same can be done in accordance with the Constitution and the laws of the State of Nevada.

SEC. 2. Section two of said Act is hereby repealed.

SEC. 3. Section three of the said Act of which this Act is amendatory, is hereby amended so as to read as follows:

Section Three. The person receiving the commission, or certificate of election, to the office of State Printer, from the Governor, shall, within ten days thereafter, take the oath of office, and give a bond to the State, with two or more sureties, in the sum of ten thousand dollars, to be approved by the Governor, Controller, and Treasurer of State, for the faithful performance of his duties under this Act. Said oath and bond to be filed in the office of the Secretary of State without delay.

CHAP. X.—*An Act for the relief of the widow of Matthew Pixley.*

[Approved February 12, 1873.]

Preamble. WHEREAS, On the seventeenth day of September, A. D. eighteen hundred and seventy-one, Matthew Pixley was killed while

voluntarily engaged in defense of the State Prison of the State of Nevada; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the sum of twenty-five hundred dollars be, and the same is hereby appropriated out of any money in the General Fund of the State Treasury, not otherwise specifically appropriated, for the benefit of, and to be paid to, Mrs. Carrie Pixley, widow of said Matthew Pixley. Appropriation to Mrs. Pixley.

SEC. 2. It shall be the duty of the State Controller to draw his warrant in favor of Mrs. Carrie Pixley, on the State Treasurer, for the said sum of twenty-five hundred dollars, gold coin of the United States, and the State Treasurer shall pay the same in the order of registry out of the General Fund of the State Treasury. Controller to draw warrant, etc.

SEC. 3. This Act shall be in force from and after its passage and approval.

CHAP. XI.—*An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," as amended by section one of an Act approved March first, eighteen hundred and seventy-one.*

[Approved February 14, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-nine of said Act is hereby amended so as to read as follows:

Section Twenty-nine. The District Attorneys of the several counties of this State are hereby authorized and directed, immediately after the time specified in the preceding section, to commence action in the name of the State of Nevada, against the person or persons so delinquent, and against the real estate and improvements assessed so delinquent, and against all owners or claimants to the same, known or unknown; *provided*, that before commencing any suit for the collection of delinquent taxes, where the amount is less than three hundred dollars, the District Attorney shall submit to the Board of County Commissioners, at a meeting of said Board, to be held for that purpose, on the second Monday of December in each year, the delinquent list, showing the several amounts of taxes then delinquent, and from whom due; and said Board of Commissioners shall then, or at such time thereafter as they may deem proper, direct suits to be commenced for the collection of such sums then delinquent as they may deem expedient; and no suit for the collection of delinquent taxes, where the amount is less than three hundred dollars, shall be commenced except by the direction of said District Attorneys authorized to commence actions for delinquent taxes. Proviso.

Proviso. Board; and, *provided further*, that nothing herein contained shall be construed to prohibit or authorize the Board of Commissioners to prohibit the District Attorney from commencing any suit for the collection of delinquent taxes, where the amount of tax delinquent exceeds three hundred dollars, and all suits brought by the District Attorney for the collection of delinquent taxes, shall be *prima facie* to have been brought by the direction of the Board of County Commissioners.

CHAP. XII.—*An Act to require Assessors to pay over to the County Treasurer monthly all poll taxes collected.*

[Approved February 14, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

**Assessors
required
to pay over
poll taxes
monthly.**

SECTION 1. In addition to the duties of the Assessor as now prescribed by law, the Assessors of the several counties in this State shall, on the first Monday in each month, pay over to the County Treasurer all moneys in his hands collected as poll taxes, less his commission of ten per cent., and take duplicate receipts therefor, and file one of them with the County Auditor.

CHAP. XIII.—*An Act to consolidate and fund the indebtedness of Lincoln County.*

[Approved February 17, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

**Funding
Commissioners
created.**

SECTION 1. In order to consolidate and fund the entire indebtedness of the County of Lincoln, for which certificates of indebtedness have been issued, and place all of its financial transactions upon a cash basis, the Chairman of the Board of County Commissioners, the Auditor, and County Treasurer, of said county, and their successors in office, shall constitute and are hereby created a Board of Commissioners, to be known and styled as the Funding Commissioners of the County of Lincoln, of the State of Nevada, and shall have and exercise the powers hereinafter provided.

**Duty to
prepare
bonds, etc.**

SEC. 2. It shall be the duty of said Funding Commissioners to cause to be prepared bonds equal to the present county indebtedness, together with all the indebtedness that shall have accrued, for which warrants have or may be issued before the first day of March, A. D. one thousand eight hundred and

seventy-three. Said bonds shall be of the denomination of one hundred, three hundred, and five hundred dollars, and each and every bond purport in substance that the County of Lincoln, State of Nevada, owes the holder thereof, a sum to be expressed therein, bearing interest at the rate of ten per cent. per annum, from the first day of March, A. D. one thousand eight hundred and seventy-three; the interest to be paid upon presentation at the office of the County Treasurer, on the first day of January, one thousand eight hundred and seventy-four, and on the first day of January annually thereafter, until said bonds are paid and liquidated. Said bonds shall be due and payable in gold coin at the office of the County Treasurer of said County of Lincoln, on or before the first day of January, one thousand eight hundred and eighty-three. Said bonds shall be signed by the Chairman of the Board of County Commissioners of said county and countersigned by the County Auditor, and indorsed by the County Treasurer, and shall have the seal of the county affixed thereto.

Bonds,
denomina-
tion of, etc.

SEC. 3. It shall be the duty of said Funding Commissioners to keep an account of the number, denomination, and amount of all bonds signed by them in accordance with this Act; and it shall be the duty of said Commissioners to examine all certificates of indebtedness presented for funding, and ascertain if they are the true and correct ones issued according to the County Treasurer's and Auditor's books, corresponding to the entries therein, and no others than those found to be true and lawful ones against the County of Lincoln shall be funded.

Commis-
sioners
to keep
account
of bonds.

SEC. 4. It shall be the duty of the Auditor and Treasurer, each to keep a separate record of all such bonds as may be issued in accordance with this Act, showing the number, date, and amount, and to whom issued, together with the coupons that may be issued.

Separate
record of
bonds.

SEC. 5. Coupons for the interest shall be annexed to each bond; said coupons shall be numbered, and express the amount of interest due at the respective periods herein named, and shall be signed by the Chairman of the Board of County Commissioners and County Treasurer. When any interest shall be paid upon a bond issued under the provisions of this Act, the County Treasurer shall detach the coupons for the interest then due and paid, and deliver the same to the County Auditor, taking his receipt therefor, whose duty it shall be to file the same in his office.

Coupons.

SEC. 6. All persons having any certificate of indebtedness of the County of Lincoln, payable on or before the first day of March, one thousand eight hundred and seventy-three, whether in certificates drawn upon the Treasurer, or account audited and allowed by the Board of County Commissioners, before the first day of March, one thousand eight hundred and seventy-three, shall be entitled to fund the same by virtue of this Act; *provided*, that for any fractional sum less than the amount of the bonds authorized to be issued by this Act, said Commissioners shall issue to the holder of the county warrant, or such other evidences of indebtedness as may have been audited or allowed by the Board of County Commissioners, a certificate of such fractional sum; and upon presentation of the same to the

Who
entitled
to fund.

Provido.

County Auditor, he shall draw a warrant upon the County Treasurer for the amount so certified; and said warrant thus drawn must be presented to the Treasurer of said county within eight months after the first day of March, one thousand eight hundred and seventy-three. And said warrants shall be payable in coin, in their regular order of payment, according to the number and date thereof.

Redemption of bonds.

SEC. 7. Whenever any bonds shall have been paid and redeemed by the County Treasurer, he shall mark the same "Canceled" over his signature as Treasurer, and immediately deliver the same to the County Auditor, taking his receipt therefor; and the County Auditor, upon the receipt of such canceled bonds, shall file the same in his office.

Interest tax to be levied and collected.

SEC. 8. In addition to the ordinary taxes for county purposes, there shall be for the year one thousand eight hundred and seventy-three, and annually thereafter, until the principal and interest of said bonds to be issued shall be fully provided for, as hereinafter provided to be levied and collected at the same time and in the same manner as other revenues of said county, a special tax, to be called the interest tax, of forty-five cents on each one hundred dollars of taxable property of said county, which tax shall be collected in United States gold and silver coin, and paid over to the County Treasurer. The fund derived from this tax shall be applied only to the payment of the interest accruing upon said bonds as herein provided; *provided*, that should said funds furnish a surplus over and above what may be required for the payment of said interest, such surplus shall be turned over and paid into the Sinking Fund herein provided for.

How applied.

Proviso.

Arrangements for payment of interest.

SEC. 9. It shall be the duty of the County Treasurer of Lincoln County to make such arrangements for the payment of the interest of said bonds when the same falls due, at least thirty days before the time of payment; and in the event said Interest Fund is insufficient, the Treasurer shall draw on the General Fund of the county for such purpose; and in the event that said Fund shall prove inadequate, the said Treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and for the protection of the credit of the County of Lincoln.

Sinking Fund to be set apart.

SEC. 10. It shall be the duty of the Treasurer of said county to set apart a Fund to be called the "Sinking Fund of the County of Lincoln." Into said Fund shall be paid: First, any and all surplus of the Interest Fund as aforesaid; each of said payments shall be continued until the said Sinking Fund shall be sufficient for the payment of the principal and interest of the bonds; and when the same shall have been paid and liquidated, the same shall cease, and all surplus remaining in the Sinking Fund shall be paid into the General Fund of said county.

Advertisement for surrender of bonds.

SEC. 11. Whenever at any time there shall be in the Sinking Fund a sum of money amounting to one thousand dollars or upwards, the County Treasurer shall advertise in a newspaper published in said county, for the space of thirty days, for sealed proposals for the redemption of said bonds; but in case there be no newspaper published in said county, said advertisement shall be published in some newspaper having the largest circu-

lation in said county, to be designated by the County Auditor; the advertisement to specify the day, hour, and place the sealed proposals will be opened.

SEC. 12. At the time specified, the Treasurer shall open the sealed proposals at his office, in the presence of the Board of County Commissioners and Auditor, and such other persons as may wish to be present; and shall pay and liquidate such bonds presented, at the lowest value at which they may be proposed to be liquidated; *provided*, the same shall not be for more than their par value; and, *provided further*, that if there be no sealed proposals made, or offered, for the surrender and payment of said bonds, then, in that case, it shall be the duty of the County Treasurer to advertise, in the manner as before mentioned, for a period of not less than twenty or more than thirty days, for the surrender and payment of as many of said bonds as the amount of money in said Sinking Fund will pay in their regular order of payment; commencing with number one, two, and three, and so continue the payment in that order according to their number and date; and in the event that the holder or holders of the bond or bonds, first in order of payment, shall fail to present his or their bond or bonds for payment, at the office of the County Treasurer, in the Town of Pioche, at the time indicated in the before mentioned advertisement, then, in that case, the said bond or bonds shall cease to draw interest from such date named in the advertisement for the payment of the same. And in like manner the County Treasurer shall continue to advertise the next bond or bonds in order of payment, according to the number and date, and if the holder or holders thereof fail to surrender for payment as provided, the interest on said bonds shall cease. The County Treasurer shall continue to advertise, from time to time, as provided, until the whole amount of bonds has been advertised, or the amount of money in the Sinking Fund shall have been paid out in their redemption, as heretofore provided; and, *provided*, that should there be no proposals made for less than par value, then the payment shall be made *pro rata* on all of said bonds; *provided further*, that said bonds upon which interest shall have ceased in consequence of the holder or holders thereof having failed to present the same for payment, as above provided in this Act, then, and in that case, said bonds shall have preference over the interest-bearing bonds in order of payment, and shall be paid in their regular order of date and payment, but under the same rules, regulations, and restrictions, as provided in this Act for interest-bearing bonds.

Proposals opened.

Payment.

Proviso.

Proviso.

When interest to cease.

Advertisement to be continued.

Proviso.

SEC. 13. A full and particular account and record of the Sinking Fund shall be kept by the Treasurer, and shall at all times be open for the inspection of the Auditor, Board of Commissioners, and Grand Jury; and, upon demand of the Grand Jury of said county, the Treasurer shall cause a concise statement to be made of the condition and business of said Fund, and the amount of bonds issued, and to whom issued.

Record, etc., of Sinking Fund to be kept.

SEC. 14. The County Treasurer shall pay out of any money in the Treasury not otherwise appropriated, any and all expenses

Expenses of preparing bonds.

that may be incurred in having said bonds prepared, not to exceed the sum of four hundred dollars.

Compensation of Commissioners.

SEC. 15. The Funding Commissioners shall receive such compensation for their services as the Board of County Commissioners may allow, to be paid out of the County Treasury, as other charges against the county are paid.

Advertisement for funding.

SEC. 16. On the first day of March, one thousand eight hundred and seventy-three, the County Treasurer of Lincoln County shall advertise in some newspaper, as heretofore provided, for the period of twenty days, that from and after that day the funding of the then outstanding warrants of Lincoln County will commence, from which time it shall not be lawful for the Treasurer of said county to pay or liquidate any of the outstanding certificates of said county in any other way than by funding it [them] in accordance with the provisions of this Act; nor shall said Treasurer, under any pretense whatever, liquidate, pay, or cause to be paid, any portion thereof, only in accordance with the provisions of this Act. The expense for publishing, as provided in this Act, shall be paid out of the General Fund of the county.

When Treasurer prohibited from paying certificates.

Commissioners limited in contracting liabilities.

SEC. 17. On and after the first day of March, one thousand eight hundred and seventy-three, the Board of County Commissioners of said county shall contract no debt, and incur no liabilities that shall singly or in the aggregate with any other previous debt or liabilities contracted or incurred after the said first day of March, exceed the sum of nine thousand dollars more than the amount of money in the County Treasury subject to the payment of the same.

Officers not complying with Act guilty of misdemeanor. Penalty.

SEC. 18. Any county officer or officers of the County of Lincoln who shall willfully neglect or refuse to comply with the requisitions or provisions of this Act, shall be deemed guilty of misdemeanor in office, and shall be fined in any sum not less than two hundred or more than one thousand dollars, to be recoverable before any Court of competent jurisdiction, or dismissal from office, or both such fine and dismissal, in the discretion of the Court. And it is hereby made the duty of the District Judge of Lincoln County to give the substance of this section in charge to the Grand Jury at each session, making it their duty to inquire and investigate as to any infraction or violation of this Act by any of the officers herein named, whose duty it is to carry into practical effect the provisions of this Act. And it is hereby made the duty of the District Attorney to prosecute all delinquents under this Act.

Substance of section to be given in charge to Grand Jury.

Power of District Court.

SEC. 19. The District Court of Lincoln County shall have power to enforce obedience to the provisions of this Act, and for that purpose shall have full power to issue process of mandamus, prohibition, and all other writs that may be required that are authorized by law.

Fines, etc.

SEC. 20. All fines and penalties collected under the provisions of this Act shall be paid into the School Fund.

Transfer of money.

SEC. 21. At the first meeting in December in each year of the Board of County Commissioners of said county, they may transfer any surplus money there may be in the General Fund of said county to the Sinking Fund created by this Act; *pro-*

vided, there shall be left in the Treasury a sufficient amount to Proviso. defray the current expenses of said county for the six months next ensuing.

CHAP. XIV.—*An Act to remove the county seat of Humboldt County.*

[Approved February 17, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first day of May, one thousand eight hundred and seventy-three, the county seat of Humboldt County shall be located at the Town of Winnemucca, in said county. County seat located at Winnemucca.

SEC. 2. It shall be the duty of all officers of said county, who are required by law to keep their offices at the county seat, to remove the same to said Town of Winnemucca, on the week next preceding the said first day of May, A. D. eighteen hundred and seventy-three. County officers required to remove offices.

SEC. 3. The County Commissioners of said county shall provide for the removal of the archives of said county, and all other movable property belonging to said county, to said Town of Winnemucca, and shall have power to sell and convey any real or immovable property situated in the Town of Unionville belonging to said Humboldt County, and shall pay the proceeds of such sales into the County Treasury of said county. Commissioners required to remove archives, etc.

SEC. 4. It shall be lawful for the Board of County Commissioners of Humboldt County, and it is hereby made their duty, to provide for the use of the various public officers such buildings, rooms, or offices, as are required by law. To provide offices, etc.

CHAP. XV.—*An Act to amend an Act entitled an Act to authorize the State Treasurer to employ a Clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five, approved March first, eighteen hundred and sixty-six.*

[Approved February 17, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Section One. The State Treasurer is hereby authorized to employ a deputy, whose compensation shall be two hundred and fifty dollars per month. Authorized to employ a deputy.

SEC. 2. Section two of said Act is hereby amended so as to read as follows:

Compensation,
how paid.

Section Two. The Controller of State shall, at the end of each month, draw his warrant upon the State Treasury, in favor of such deputy, for the amount of his compensation then due, and the State Treasurer shall pay the same, out of any moneys in the State Treasury not otherwise specially appropriated.

CHAP. XVI.—*An Act to amend an Act entitled an Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five, approved February twenty-sixth, eighteen hundred and sixty-six, approved March eleventh, eighteen hundred and sixty-seven.*

[Approved February 17, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of the above entitled Act is hereby amended so as to read as follows:

Compensation.

Section Four. The District Attorney of each county in this State shall receive for his services, annually, a compensation, to be paid in four equal quarterly payments, as follows:

First—Of the County of Storey, two thousand dollars.

Second—Of the County of Esmeralda, one thousand dollars.

Third—Of the County of Lander, two thousand dollars.

Fourth—Of the County of Humboldt, one thousand dollars.

Fifth—Of the County of Ormsby, one thousand dollars.

Sixth—Of the County of Washoe, one thousand dollars, after the first day of January, A. D. eighteen hundred and seventy-five.

Seventh—Of the County of Lyon, fifteen hundred dollars.

Eighth—Of the County of Churchill, six hundred dollars.

Ninth—Of the County of Nye, one thousand dollars, after the first day of January, A. D. eighteen hundred and seventy-five.

Tenth—Of the County of Douglas, one thousand dollars.

Eleventh—Of the County of Lincoln, two thousand dollars.

Twelfth—Of the County of White Pine, fifteen hundred dollars, after the first day of January, A. D. eighteen hundred and seventy-five.

Compensation
in new
counties.

Thirteenth—When any new county shall be created hereafter, the District Attorney for such county shall receive for his services an annual salary, not exceeding fifteen hundred dollars, as the County Commissioners of such county may determine.

SEC. 2. All Acts, and parts of Acts, in conflict with this Act, are hereby repealed.

CHAP. XVII.—*An Act to amend an Act entitled “‘An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven,’ approved March third, eighteen hundred and sixty-nine,” approved March fourth, eighteen hundred and seventy-one.*

[Approved February 20, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act of which this is amendatory is amended so as to read as follows:

Section One. The Treasurers of the several counties of this State shall be allowed the following named annual salaries, to wit: The Treasurer of Storey County, three thousand dollars; of Ormsby County, fifteen hundred dollars; of Douglas County, five hundred dollars; of Esmeralda County, eight hundred dollars, after the first day of January, A. D. eighteen hundred and seventy-five; of Lyon County, twelve hundred dollars, after the first day of January, eighteen hundred and seventy-three; of Washoe County, twelve hundred dollars, after the first day of January, A. D. eighteen hundred and seventy-five; of Churchill County, six hundred dollars; of Lander County, fifteen hundred dollars; of Humboldt County, one thousand dollars, after the first day of January, A. D. eighteen hundred and seventy-five; of White Pine County, fifteen hundred dollars, after the first day of January, A. D. eighteen hundred and seventy-five; of Elko County, two thousand dollars; of Lincoln County, eighteen hundred dollars; of Nye County, twelve hundred dollars, after the first day of January, A. D. eighteen hundred and seventy-five. Said salaries to be audited by the Board of County Commissioners, and paid at the end of each quarter, out of the Treasurer's Salary Fund; *provided*, that whenever, at the end of any quarter, there shall not be sufficient money in said Fund to pay said salary, the Board of County Commissioners shall set apart, from any moneys in the General Fund, or from the first money that shall come into the said General County Fund, not otherwise specially appropriated, an amount sufficient to pay said salary; and, *provided further*, that whenever, at the end of any year, there shall remain any money in the said Fund, after paying the Treasurer's salary, the Board of County Commissioners shall cause the money so remaining to be transferred to the General County Fund.

Salaries
of County
Treasurers.

When
money to
be set
apart to
pay salary.

When
surplus
to be
transferred
to General
Fund.

SEC. 2. No warrant shall be drawn on said Fund except to pay the salary of the County Treasurer.

Warrant
drawn on
Fund only
for salary.

SEC. 3. All Acts, and parts of Acts, in conflict with this Act, are hereby repealed.

CHAP. XVIII.—*An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven.*

[Approved February 20, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight, of the above entitled Act, is hereby amended so as to read as follows:

Salary.

Section Eight. The Attorney General shall receive as salary the sum of thirty-six hundred dollars per annum, payable quarterly; and he shall receive, in the performance of his duty as Attorney General, no other compensation whatever. And except the necessary contingent expenses of the office, no claim against the State created in the office of the Attorney General, or in the performance of any duty of the Attorney General, shall be paid or allowed, unless the same be first approved by the Board of Examiners, and afterwards presented to the Legislature and a law enacted for the payment of the same.

Contingent expenses.

SEC. 2. This Act to take effect, and be in force, from and after the first Monday of January, A. D. eighteen hundred and seventy-five.

CHAP. XIX.—*An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.*

[Approved February 20, 1873.]

The People of the State of Nevada represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three hundred and twenty of said Act is hereby amended so as to read as follows:

Challenges not to be severed.

Section Three Hundred and Twenty. When several persons, jointly indicted, are tried together, they are not allowed to sever their challenges, but must join therein.

CHAP. XX.—*An Act concerning records now in the custody of County Recorders of this State.*

[Approved February 20, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All instruments of writing relating to mining claims now copied into books of mining or other records, now in the office of the County Recorders of the several counties of this State, shall, after the passage of this Act, be deemed to impart to subsequent purchasers and incumbrancers, and all other persons whomsoever, notice of the contents thereof; *provided*, that nothing herein contained shall be construed to affect any rights heretofore acquired or vested. Mining records, etc., to impart notice. Proviso.

SEC. 2. Copies of the records of all such instruments mentioned in section one of this Act, duly certified by the Recorder in whose custody such records are, may be read in evidence under the same circumstances and rules as are now or may hereafter be provided by law, for using copies of instruments relating to mining claims or real estate, duly executed or acknowledged, or proved and recorded. Copies may be read in evidence.

CHAP. XXI.—*An Act to limit the compensation of County Auditors for extending the taxes on the assessment roll.*

[Approved February 20, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The County Auditors of the several counties shall be allowed such compensation as may be fixed by the Board of County Commissioners for extending the taxes on the assessment roll, not to exceed fifteen cents per folio of one hundred words; *provided*, that in no case shall the Auditor receive more than three hundred dollars for such service in any one year. Compensation for extending taxes on assessment roll. Proviso.

CHAP. XXII.—*An Act to abolish the use of State revenue stamps, and to provide for the settlement of outstanding stamps.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Acts repealed.

SECTION 1. That sections one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and thirty-six, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty, of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and section one hundred and thirty-nine of an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March first, eighteen hundred and sixty-six; "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five," approved March fourth, eighteen hundred and seventy-one, and all Acts and parts of Acts amendatory thereof or supplementary thereto, be and the same are hereby repealed.

Use of stamps rendered unnecessary.

SEC. 2. From and after the passage of this Act, the appendage and canceling of the stamps described in the schedule contained in section one of an Act entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five," approved March fourth, eighteen hundred and seventy-one, shall no longer be necessary, nor shall affect the validity of any instrument, matters, or things mentioned in said schedule; *provided*, that nothing herein shall be construed to affect any instrument made, signed, or issued prior to the passage of this Act.

Proviso.

County Treasurers required to settle stamp accounts with State Treasurer.

Notice of redemption

Redemption, how made.

SEC. 3. Within ten days after the passage of this Act the State Treasurer shall notify the respective County Treasurers to settle their State revenue stamp accounts with the State Treasurer within sixty days thereafter. In making said settlement, it shall be the duty of the said County Treasurers to publish a notice for ten days in one newspaper in his county, or, if no newspaper be published therein, to post at least three written notices in public places therein, that said County Treasurers will redeem all outstanding uncanceled State revenue stamps on presentation of the same at his office. The County Treasurer shall redeem said outstanding State stamps as presented pursuant to said notice, and the same shall be a charge against the State. And he shall immediately thereafter transmit to the State Treasurer a statement of the stamps so redeemed, together with a statement in full of all stamps with which he

stands charged by the State; and he shall at the same time transmit to the State Treasurer all uncanceled stamps in his possession, together with all moneys received from the sale of stamps to that date.

SEC. 4. It shall be the duty of the State Treasurer to receive and to turn over to the State Controller all uncanceled stamps so returned from the County Treasurers, together with all stamps in his possession, and the State Controller shall credit the State Treasurer with the amount so received. The State Controller shall preserve said stamps so received in his office, and the same shall be his vouchers in his settlement with the State.

State Treasurer required to receive uncanceled stamps and turn them over to the Controller. Controller to preserve stamps for vouchers.

SEC. 5. In order that full settlement may be made between the State Treasurer and the State, on stamp account, the State Controller is hereby authorized, on satisfactory proof being furnished him of the fact and amount of any defalcation by a County Treasurer on account of State stamps, to credit the State Treasurer with the amount of said defalcation; *provided*, nothing herein contained shall be construed to relieve the bondsmen of the County Treasurers for liability on account of said defalcation.

State Treasurer to be credited with defalcation by County Treasurer.

Proviso.

CHAP. XXIII.—*An Act to amend an Act entitled "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act, of which this is amendatory, is hereby amended so as to read as follows, to wit:

Section One. In all cases where a railroad is located, and is being or has been constructed in or through two or more of the counties of this State, the President, Secretary, general superintendent, or managing agent of the corporation, company, or person owning the same, or some managing agent thereof within the county, shall, within a reasonable time after demand by the County Assessor of any county in or through which such road is being or has been constructed, furnish to such Assessor a statement, under oath or affirmation, which shall be in writing, duly subscribed and sworn to before some officer within this State authorized by law to administer oaths, setting forth the length of said road in such county, and the value thereof, with a list of the property, real and personal (except rolling stock), pertaining thereto; also, the whole length of said road within the State, and the number and value

Railroad companies required to furnish statement, etc., to Assessor.

of all locomotives and cars, commonly known as rolling stock, used on said road within this State, an apportionment of the value of such rolling stock to such county; the same to be estimated according to the proportion which the portion of said road in said county bears to the whole length of said railroad within this State.

CHAP. XXIV.—*An Act to regulate the collection of taxes in disputed territory between counties.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Taxes on real property on territory claimed by two counties may be paid in either county.

SECTION 1. When real property is assessed by the County Assessors of two counties on territory claimed by both, the owner of the real estate assessed is hereby authorized to pay said taxes in either county that he may select, and in case of suit being brought for the non-payment of said taxes in the county in which said suit may be brought, the production of a tax receipt for the current year on said property, signed by the proper officer, although in an adjoining county claiming jurisdiction of a date prior to the commencement of said action, shall entitle said taxpayer to a dismissal of said suit, free of cost.

CHAP. XXV.—*An Act providing for the government of the towns and cities of this State.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

County Commissioners granted additional powers.

SECTION 1. In addition to the powers and jurisdiction conferred by other laws, the Boards of County Commissioners of the counties of this State shall have the following with regard to the management of the affairs and business of any town or city in their respective counties:

First—To fix and define the boundary of such town or city within which the jurisdiction herein conferred shall be exercised.

Second—To institute and maintain any suit or suits, in any Court or Courts, necessary in their judgment to enforce or maintain any right or rights of said town or city; all such suits shall be instituted and prosecuted in the name of the Board of County Commissioners, for the use and benefit of the inhabitants of said town or city, and shall be entitled accordingly in all pleadings and proceedings.

Third—To levy a tax, not exceeding one per cent. per annum upon the assessed value of all the real and personal property situated in said town or city, made taxable by law for State or county purposes. County Commissioners granted additional powers.

Fourth—To lay out, extend, and alter the streets and alleys in said town or city, and provide for the grading, draining, cleaning, widening, lighting, or otherwise improving the same; also, to provide for the construction, repair, and preservation of sidewalks, bridges, drains, and sewers, and for the prevention and removal of obstructions from the streets and sidewalks of said town or city; *provided*, that said Board may, in its discretion, assess the cost of improving any street or building, or repairing a sidewalk, to the owner or owners of the property in front of which said street, or sidewalk, or proposed sidewalk, may be, and may make such cost of improvement, repairs, or building, a lien upon such property.

Fifth—To condemn property for the use of the inhabitants of said town or city in the manner hereinafter provided.

Sixth—To provide for the prevention and extinguishment of fires, and organize, regulate, establish, and disband fire companies in said city or town.

Seventh—To regulate the storage of gunpowder, and other explosive or combustible materials, within said town or city.

Eighth—To determine what shall be deemed nuisances in such town or city, and provide for the punishment, prevention, and removal of the same.

Ninth—To fix and collect a license tax on and regulate all theaters and theatrical performances, circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements, within said town or city; to fix and collect a license tax on and regulate all taverns, hotels, restaurants, saloons, bar-rooms, bankers, brokers, gold dust buyers, manufacturers, livery stables, and livery stable keepers, within said town or city, and express companies, persons engaged in the business of transmitting letters or packages, stage companies, or the owners of stages or stage lines, who have a place of business in said town or city, or any agency therein; to license and regulate auctioneers and stock brokers within said town or city; to license, tax, and regulate and prohibit, or suppress, all tippling houses, dram shops, saloons, and raffles, and license or tax all hawkers, peddlers (provided that no tax or license shall be required for peddling the agricultural productions of the State), pawnbrokers, refreshment or coffee stands, booths, and sheds, within said town or city; to regulate, or prohibit, or suppress prostitution and unlicensed gaming and disorderly houses, dance houses, and houses of ill-fame, within said city or town; to levy and collect an annual tax upon all dogs within said town or city, and provide for the extermination of dogs for which such tax shall not have been paid, and to prevent all other animals from running at large in said town or city; to fix and collect a license tax upon all professions, trades, or business within said town or city, not heretofore specified.

Tenth—To provide for the issuance of all licenses in this Act mentioned or authorized to be issued, and to fix the terms on which, and the sums for which, the same shall be issued.

County
Commissioners
granted
additional
powers.

Eleventh—To prevent, punish, and restrain any disorderly conduct within said town or city.

Twelfth—To hold, manage, use, and dispose of the real and personal property of said town or city, and collect all dues and demands belonging to or coming to the same; but no sale of any such property shall be made until after it is appraised by three appraisers, taxpayers of said town or city, at the actual market value, nor shall it be sold for less than three fourths of such appraised value.

Thirteenth—To fix and prescribe the punishment for the breach of any ordinance made or adopted by said Board of County Commissioners, to be enforced within said town or city; but no fines shall be imposed for one offense in a sum greater than five hundred dollars, and no term of imprisonment shall be more than six months; but in lieu of imprisonment any person committed for punishment may be made to work on any public work in said town or city; *provided*, nothing herein contained shall authorize the formation of a chain gang in such town or city.

Fourteenth—To pass or adopt all ordinances, rules, and regulations, and do and perform all other acts and things necessary for the execution of the powers and jurisdiction by this Act conferred, and to audit and allow all claims properly payable out of the funds of said town or city. Any property, real or personal, necessary for the public use of said town or city, or the inhabitants thereof, may be condemned and appropriated in the following manner: The Board of County Commissioners shall appoint one referee, and the claimant or claimants or owner or owners of the property to be condemned shall appoint one referee, and in the event the two referees so appointed shall not agree in the valuation of the property or claimant's interest therein, then the two so appointed shall select a third referee, and the decision of the majority of such three, as to the valuation of the property or the interest therein by them appraised, shall be reported to said Board of County Commissioners, and may by them be regarded and held as final and binding; and upon the tender, in gold coin, of the sum named by said appraisers for such property, to the claimant or claimants, owner or owners thereof, or his or their agent or attorney, such property or the interest therein appraised, shall become and be the property of said town or city, and said Board of County Commissioners may at any time after twenty days' notice cause the Sheriff of the county to remove all persons and obstructions from such property, in case the same be real, and may take immediate possession of the condemned property, whether the same be real or personal. In case the claimant or claimants, owner or owners of property sought to be condemned, as herein provided, shall refuse or neglect, when required by the Board of County Commissioners to appoint a referee to value such property, then said Board of County Commissioners shall constitute a Board of Appraisers of such property, and their valuation of the same shall be final and binding; but no act of condemnation of property, or of any claim of interest therein, as herein provided, shall be deemed or held as an admission on the part of said town or city, or the inhabitants thereof, of the legality of the

asserted claim thereto or right therein; and in the condemnation of property, as in this Act provided, the referees or County Commissioners, as the case may be, shall consider whether the proposed improvement, for which said property is so condemned, will be of any benefit to the person or persons owning or claiming the said property or some interest therein, and if they find that the same will be a benefit to such person or persons, they shall estimate the value of such benefit to him or them, and deduct the amount thereof from the estimated value of the property or interest therein condemned.

SEC. 2. Said Board of County Commissioners may annually, at the time of assessing or fixing the amount of taxes for county purposes, assess, fix, and designate the amount of taxes that shall be levied and collected for city or town purposes, on all real and personal property assessable for State or county purposes within any town or city in their county, which said taxes shall be collected at the same time, in the same manner, and by the same officers as provided in the revenue laws of this State for the levying and collecting of State and county taxes, and said revenue laws shall in every respect, not inconsistent with the provisions of this Act, be deemed and held applicable to the levying and collecting of the taxes hereinbefore mentioned; and in all cases where said Commissioners or the County Assessor or District Attorney of said county, or any other officer, or any Judge or Justice of the Peace of said county, is required or authorized by law to adopt or use any form appertaining to the assessment or collection of county taxes; he or they may also adopt or use a similar form in relation to assessing, levying, and collecting the taxes herein provided for, and may use the same in any book, paper, or document in which he or they have used the first named form; and in filling up the blank of said last named form, there shall be inserted the name of said town or city, using the name by which it is commonly designated, or such name as will enable the inhabitants thereof to know that their town or city, as the case may be, is intended to be named in said book, paper, or document; and all suits instituted to collect State or county taxes on real or personal property assessed in said town or city, shall also include the unpaid taxes herein authorized to be levied, and the judgments therein rendered shall also include such taxes.

To fix and assess the amount of taxes to be levied.

SEC. 3. All taxes, fines, forfeitures, or other moneys collected, or received by any officer or person under or by virtue of the provisions of this Act, shall be paid by the officer or person collecting or receiving the same to the County Treasurer of the county in which said taxes or moneys were collected or received; and said County Treasurer shall set the same apart as a Fund to be used solely for the benefit of the town or city in which they were collected or received. He shall also enter the same upon his books to the credit of said town or city, and shall, when required by the Board of County Commissioners, divide said Fund into two Funds, one to be designated as the General Fund, the other as a Redemption Fund; and he shall not pay any money out of said General Fund except upon warrants drawn upon him by the County Auditor of his county, nor pay any money out of said Redemption Fund except in the manner

Moneys collected to be paid into County Treasury.

General and Redemption Funds.

Transfer
of money.

specified in this Act, until otherwise ordered by the Board of County Commissioners. All such money shall be held in the General Fund; but if at any time after creating a Redemption Fund there shall be more money in the General Fund than is necessary to meet current expenses, said Board of Commissioners may direct the Treasurer to transfer such surplus to the Redemption Fund, and the same shall thereafter be disposed of as other moneys belonging to that Fund.

Fees, etc.,
to be paid
out of
General
Fund.

SEC. 4. All fees and salaries of officers provided for in this Act, and all expenses incurred in carrying on any government herein provided for, shall be paid out of the General Fund of the town or city to the affairs of which said government relates. All claims for such fees, salaries, and expenses, shall be presented to the Board of County Commissioners, who shall consider and allow or reject the same, and a record of their action shall be entered upon their minutes. If allowed in whole or in part by a majority vote of all the members composing said Board, the Clerk of said Board shall certify the claims to the Auditor, who shall thereupon issue his warrant to the claimant, substantially in the following form:

Claims
allowed, to
be certified
to Auditor.

Form of
warrant.

No. —

The —, A. D. 18—.

The County Treasurer of — County will pay to — the sum of — dollars, in gold coin, for (stating in general terms the nature of the claim) and charge the same to the General Fund of the (town or city of) —.

\$—.

—, County Auditor.

Notice
of out-
standing
warrants to
be posted.

He shall appropriately fill all blanks. Upon having presented to him any warrant, the County Treasurer shall immediately pay the same, if he has money in his hands sufficient therefor belonging to the Fund upon which it is drawn; but if he has not such money he shall indorse on said warrant "Not paid for want of funds," adding thereto the date of indorsement and signing his name officially to the same; and thereafter he shall pay said warrant out of the first money applicable thereto coming into his hands. Before twelve o'clock on the first Monday in each month, the County Treasurer shall post a notice in a conspicuous place in his office, showing the number and amount of each outstanding warrant, if any, which there is money in the Treasury to pay. On paying any warrant, the Treasurer shall write across the face thereof, in red ink, "Redeemed," with the date of redemption, and sign his name officially thereto; and said warrant so canceled shall be sufficient voucher for the Treasurer in his official settlement. The Chairman of the Board of County Commissioners, or some member of the Board, designated by the Chairman, shall once in every three months examine the books and vouchers of the County Treasurer concerning the state of the finances in his hands, in this Act mentioned, and report the result to the Board, which report shall be spread upon the minutes of said Board.

SEC. 5. The holder of any claim or demand, in this Act mentioned, which has been rejected, in whole or in part, may, within

six months after the same has been so rejected, commence an action in any Court of competent jurisdiction of the county for the amount of his claim, or the rejected part thereof, as the case may be. The Board of County Commissioners shall be the defendant named in said action, and the service of summons shall be made upon the Chairman or Clerk thereof. In case of final recovery by the plaintiff, the Board of County Commissioners shall audit and allow his claim for the amount of the judgment recovered.

When holder of rejected claim may commence action.

SEC. 6. In all cases where a town or city in any county in this State has been incorporated by Act of the Legislature of this State, or the late Territory of Nevada, or otherwise, or may be incorporated, and the same has been or may hereafter be disincorporated, the Board of County Commissioners of said county shall take possession of all the books, papers, documents, money, credits, claims, demands, and property of said town or city, and collect, hold, or dispose of the same for the use and benefit of the inhabitants thereof; and in case said town or city shall have been at the time of disincorporation involved in debt, said Board of County Commissioners shall ascertain the amount thereof, and cause evidences of indebtedness bearing interest on the principal sum thereof, from date, at the rate of seven per cent. per annum, to be issued to holders of said indebtedness, which said evidences of indebtedness shall be in the following form, to wit:

Duty of Commissioners in relation to disincorporated town or city.

Evidences of indebtedness to be issued.

No. —.

The ———, A. D. 18—. Form of.

\$——.

This is to certify that the (designating the town or city by its corporate name) is indebted to — in the sum of — dollars, principal, and — dollars, interest, payable out of the Redemption Fund of said —; said principal sum of — dollars to bear interest from this date at the rate of seven per cent. per annum, principal, interest and accruing interest, payable in gold coin of the United States.

Chairman of the Board of County Commissioners of — County, Nevada.

———, Clerk of — County, Nevada.

All blanks to be appropriately filled. But no such evidence of indebtedness shall be issued upon any account, claim, demand, bond, warrant, scrip, or other instrument, unless the same is filed with the Clerk of the Board of County Commissioners within three months after the disincorporation of said town or city. The County Treasurer shall, upon being required so to do by the Board of County Commissioners, set apart in the Redemption Fund of said town or city, twenty per cent. of all moneys coming into his hands for the use or benefit thereof, and shall only use the money of said Redemption Fund in the payment of the evidences of indebtedness hereinbefore mentioned, and interest thereon, as in this Act provided.

Time for filing evidence of indebtedness.

Treasurer to set apart money.

SEC. 7. Whenever at any time there shall be in said Redemption Fund the sum of five hundred dollars or over, it shall be the duty of said Treasurer to give ten days notice that sealed proposals, directed to him, will be received for the sur-

Proposals for surrender of indebtedness.

render of indebtedness, payable from said Fund, which sealed proposals shall be received by him at any time before the next regular meeting of the Board of County Commissioners held after the giving of such notice. Said notice shall be given by publication thereof in some newspaper published in the county, if there be one, or if there be no newspaper published in the said county, then by posting such notice in five public places of the town or city the funds of which it is proposed to use in making the redemption mentioned in the notice aforesaid.

Duty of
County
Treasurer.

SEC. 8. At the first regular meeting of the Board of County Commissioners, after notice has been given as hereinbefore required, the said County Treasurer shall appear before said Board, and deliver to them all of the sealed proposals received by him up to that date, and shall then and there upon his oath show to the satisfaction of said Board that neither of said sealed proposals have been opened, examined, or inspected by himself, or any other person, since the same has come into his custody, and shall file with the Clerk of said Board his affidavit, showing that notice of receiving said sealed proposals has been given as hereinbefore required. Said Board of County Commissioners shall thereupon open or cause to be opened all of said sealed proposals, examine the same, and cause copies thereof to be entered in the record of their proceedings, and shall accept the lowest bid or bids for the surrender of the evidences of indebtedness aforesaid, to the extent of the sum mentioned in the notice given by the Treasurer as aforesaid; *provided*, that no bill shall be considered which is not accompanied with the evidences of indebtedness proposed to be surrendered. No bid for more than par value shall be accepted, nor shall any proposal be withdrawn after it has been delivered to the Treasurer.

Proposals
opened,
etc.

Description
of accepted
bids to be
kept.

SEC. 9. When any bids are accepted, as provided in the last section, the Clerk of the Board of County Commissioners and the County Treasurer shall each take a description of the evidences of indebtedness to be redeemed, specifying the amount to be paid for each of the same, the date, number, and amount thereof, and make a record thereof in their respective offices, and thereupon the Board of County Commissioners shall, by order, direct said Treasurer to pay the indebtedness designated in the accepted bid or bids, and said Treasurer shall pay the same, according to the terms of said order, and shall immediately cancel the evidences of indebtedness so paid by him, by writing across the face thereof, in red ink, the word "Redeemed," adding thereto the time when the same was redeemed, and the amount paid therefor, and shall sign the same officially. The order of the Board of County Commissioners aforesaid, with the record made by the County Clerk and Treasurer, as hereinbefore required, and the redeemed evidences of indebtedness, shall be sufficient vouchers for the County Treasurer, in the settlement of his accounts. The bids specified in section eight being equal, preference shall be given to those in which the greatest percentage is principal. That shall be deemed the lowest bid which offers the largest amount of indebtedness, including principal and interest, for the smallest percentage in amount of money. When two or more bids are equal in every

Payment.

Vouchers.

Preference
when bids
are equal.

respect, each shall be accepted, *pro rata*, as near as possible. The County Treasurer shall return, on demand, to the proper parties, all unaccepted bids, with the evidences of indebtedness which accompanied the same. Unaccepted bids to be returned.

SEC. 10. Any Justice of the Peace within any town or city of this State shall have jurisdiction of all violations of ordinances made to apply to his town or city under the provisions of this Act, and may render final judgment, hold to bail, fine, or commit to prison any offender, in accordance with the provisions of said ordinances; and in the exercise of such jurisdiction, said Justice of the Peace shall conform to the provisions of the general laws of the State applicable thereto, except when the ordinances aforesaid otherwise direct. All commitments of imprisonment shall be directed to the Sheriff of the county. Said Justice of the Peace shall receive the same fees and compensation as in other cases provided by law. Jurisdiction of Justice of the Peace. Fees, etc.

SEC. 11. All prosecutions arising under the provisions of this Act shall be conducted by the District Attorney of the county, who shall receive therefor, in case of conviction, to be collected only from the defendant, the sum of fifteen dollars. He shall also prosecute and defend all suits brought by or against the Board of County Commissioners under the provisions of this Act, for which he shall receive a compensation to be fixed by said Board, which shall not exceed in any one year the sum of six hundred dollars. Prosecution to be conducted by the District Attorney.

SEC. 12. The Sheriff of the county, in each of the counties of this State, shall appoint for each town or city in his county as many deputies as he shall be required to appoint by the Board of County Commissioners of his county for the purpose of carrying out the provisions of this Act, and they shall be allowed such fees for arrests, to be collected only from the defendant, as may be fixed by ordinance, and such salaries as may be fixed by said Board, not exceeding the sum of one hundred and fifty dollars per month. Said deputies shall be ex officio collectors of all licenses and other taxes than property taxes, to be collected for the use of said town or city, and shall exercise such other powers and perform such other duties as may be authorized, directed, or required by the Board of County Commissioners; *provided*, that nothing contained in this section shall be construed to prohibit said deputies from performing any other duty or service required or authorized by law. Said Sheriff shall also, when required by said Board of County Commissioners, designate one of said deputies to act as Street Commissioner in said town or city. All persons committed by any Justice of the Peace, as herein provided, shall be delivered to the Sheriff aforesaid, and by him confined or put to work, as required by ordinance; and the expense attending such confinement or working shall be allowed and paid as in this Act provided for the allowance and payment of other claims. Sheriffs to appoint deputies when required. Powers and duties of deputies. Proviso. Street Commissioner. Disposal of persons committed.

SEC. 13. The County Treasurer in each of the counties of this State shall perform the duties required or authorized to be performed by him under and by virtue of the provisions of this Act, and shall be held liable on his official bond for the faithful Duties of County Treasurer.

performance of such duties, and shall receive for his services two per cent. of all moneys received by him, under the provisions of this Act.

Duties of
County
Clerk.

SEC. 14. The County Clerk in each of the counties of this State shall perform the duties required or authorized to be performed by him under and by virtue of the provisions of this Act, and shall be held liable on his official bond for the faithful performance of such duties. He shall be ex-officio Clerk of the Board of County Commissioners in the execution of the provisions of this Act, and shall keep a record of their proceedings in books not used for other purposes. He shall receive for his services five dollars per day for each and every day engaged in the performance of his duties aforesaid, which shall not exceed in one year the sum of three hundred dollars.

Board of
County
Commissioners,
meetings
of.

SEC. 15. The Board of County Commissioners of any county having jurisdiction of the affairs of any town or city, as in this Act provided, shall hold a regular meeting in the Court House, at their county seat, at least once in each month, on a day previously fixed by them, for the purpose of transacting the business provided for in this Act, and shall continue in session from day to day until such business is completed. They may also hold special meetings, upon a call of three days' actual notice to all within the county, given by the Chairman of the Board or a majority of the members thereof. A majority of said Board shall be necessary to constitute a quorum, and the vote of a majority of the whole Board shall be necessary to carry any question. Each member of the Board shall receive for his services the sum of five dollars per day for each day's actual service as a member of the Board or as a Committeeman, and twenty-five cents per mile for each mile actually traveled in going to the place of meeting; *provided*, that the aggregate amount to be received by any one member during any one year shall not exceed the sum of two hundred dollars.

Compensation.

Act construed,
etc.

SEC. 16. Nothing in this Act contained shall be construed to apply to the transactions of county business in any of the counties of this State, nor shall any of the powers or jurisdiction conferred be exercised by any officer or person in any town or city before there shall have been filed in the Clerk's office of the county in which the same is situated a written petition for the application of the provisions of this Act to said town or city, signed by a majority of the actual residents of such town or city, representing at least three fifths of the taxable property. The genuineness of all signatures to such petition, and the qualifications of the subscribers, shall be established by the affidavits of reliable taxpayers of said town or city, filed with such petition.

Genuineness of
signatures
to be established.

Repeal.

SEC. 17. All Acts, and parts of Acts, in conflict with the provisions of this Act, are hereby repealed.

CHAP. XXVI.—*An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two hundred and twenty-three of title seven of "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine, is hereby amended to read as follows: Notice of sale upon execution.

Section Two Hundred and Twenty-three. Before the sale of property on execution, notice thereof shall be given as follows: Perishable property.

First—In cases of perishable property, by posting written notice of the time and place of sale in three public places of the township or city where the sale is to take place, for such a time as may be reasonable, considering the character and condition of the property. Posting.

Second—In case of other personal property, by posting a similar notice in three public places of the township or city where the sale is to take place, not less than five nor more than ten days, successively, and, in case of sale on execution issuing out of a District Court, by the publication of a copy of said notice at least once a week, for the same period, in a newspaper, if there be one, in the county. Other personal property. Sale on execution out of District Court to be advertised.

Third—In case of real property, by posting a similar notice, particularly describing the property, for twenty days, successively, in three public places of the township or city where the property is situated, and also where the property is to be sold; and, also, by publishing a copy of said notice once a week, for the same period, in a newspaper, if there be one, in the county; *provided*, that the cost of such publication shall in no case exceed the sum of two dollars and fifty cents per square for the first insertion, and one dollar per square for each subsequent insertion; and, *provided further*, that in any case where the paper authorized by this Act to publish such notice of sale shall neglect or refuse, from any cause, to make such publication, then the posting of notices, as provided in the preceding section of this Act, shall be deemed sufficient notice; *provided further*, notices of the sale of property on execution, upon a judgment for any sum less than five hundred dollars, exclusive of costs, shall be given only by posting in three public places in the county, one of which notices shall be posted at the Court House. Real property. Proviso. Proviso. Proviso.

CHAP. XXVII.—*An Act to protect the wages of labor.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Wages
made
preferred
claims,
what.

Proviso.

Claims for
wages
against
estates of
deceased
persons.

Proviso.

Said wages,
in cases of
attachment
and
execution,
manner of
claiming.

Disputed
claim to be
enforced
by action.

SECTION 1. That in all assignments of property, whether real or personal, which shall hereafter be made by any person or chartered company or corporation, or by any person or persons, owning or leasing real or personal property, to trustees or assignees on account of inability at the time of the assignment to pay his, her, or their debts, the wages of the miners, mechanics, salesmen, servants, clerks, or laborers employed by such person or persons, or chartered company or corporation, shall be held and deemed preferred claims, and paid by such trustees or assignees, before any other creditor or creditors of the assignor; *provided*, that the claims of each miner, mechanic, salesman, servant, clerk, or laborer thus preferred, shall not exceed in value two hundred dollars of gold coin of the United States, and the services shall have been rendered or labor performed within ninety days next preceding said assignment.

SEC. 2. That in all cases of the death of any employer or employers, the wages of each miner, mechanic, salesman, servant, clerk, and laborer, for services rendered, or labor performed, within ninety days next preceding the death of the employer, shall rank after the funeral expenses of the deceased, the charges and expenses of administering upon the estate, and the allowance to the widow and infant children, and be paid *pro rata* before all other claims against the estate of the deceased person or persons; *provided*, this Act shall in no way affect the homestead or other property exempted by law from forced sale, or any mortgage or lien lawfully obtained on the property of the deceased person before his or her death.

SEC. 3. In all cases of execution, attachments, and writs of a similar nature against the property of any person or persons, or chartered company or corporation, it shall be lawful for such miner, mechanic, salesman, servant, clerk, and laborer to give notice of their claim or claims, and the amount thereof, duly certified and sworn to by the creditor or creditors making the claim, to the officer executing either of such writs at any time before the actual sale of property levied on, and such officer shall pay to such miners, mechanics, salesmen, servants, clerks, or laborers, out of the proceeds of the sale, the amount each is justly and legally entitled to receive for services rendered within ninety days next preceding the levy of the writ of execution, attachment, or other writ, not exceeding two hundred dollars, in gold coin of the United States; *provided*, if any or all of the claims so presented and claiming preference under this section shall be disputed by either the debtor or the creditor, the person presenting the same shall commence an action within ten days for the recovery thereof, and shall prosecute his action with due diligence, or be forever barred from any claim of priority payment thereof. But in case action is rendered neces-

sary by the act as aforesaid, by either debtor or creditor, and judgment shall be had for said claim, or any part thereof, carrying costs, the costs attending the prosecution of said action, and legally taxable therein, shall likewise be a preferred claim with the same rank as the original claim; *and, provided further,* Proviso. if the amount of assets, after deducting costs of levy and sale, shall not be adequate to the payment of all the preferred claims of this class, they shall be paid *pro rata* out of the money hereby made applicable thereto; *and, provided further,* that nothing in Proviso. this Act contained shall be construed to affect any homestead, claims, mortgage, or lien of any description created and existing before the claim of such laborer accrued.

SEC. 4. This Act shall be in force from and after its passage. When Act to take effect.

CHAP. XXVIII.—*An Act entitled an Act to incorporate the Town of Gold Hill.*

[Approved February 21, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purposes hereinafter mentioned, the inhabitants of that portion of Storey County embraced within the limits hereinafter set forth in this section of this Act, shall be a body politic and corporate, by the name and style of "The Town of Gold Hill," and by that name they and their successors shall be known in law, have perpetual succession, and sue and be sued in all Courts. The boundaries of said incorporate town shall be as follows: On the north by the southern line of Virginia City, in the County of Storey; on the east by the boundary line between the Counties of Storey and Lyon; on the south by the boundary line between the Counties of Storey and Lyon; and on the west by the boundary line between the Counties of Storey and Washoe. "The Town of Gold Hill" incorporated. Boundaries.

SEC. 2. The said town corporate is hereby divided into two wards, as follows: All that portion of said town lying north or northerly of the center of Crown Point street, so far as said street is opened, and also lying north of a line commencing at the site of the quartz mill known as the "Bowers Mill," and extending due west to the line of Washoe County, and also lying north of a line commencing at the intersection of the center of Main street and Crown Point street, and extending due east therefrom to the boundary of Lyon County, shall constitute the First Ward; and all that portion lying south or southerly of the line heretofore in this section of this Act described, shall constitute the Second Ward. Wards, boundaries of.

SEC. 3. The corporate powers of said town shall be vested in a Board of Trustees, to consist of five members, who shall be actual residents of, and owners of real estate in said town, and who shall be chosen, three from among the residents of the Board of Trustees.

	First Ward, and two from among the residents of the Second Ward. In addition to said Board of Trustees, there shall be a
Treasurer, Marshal.	Marshal and Treasurer elected by the qualified voters of said town.
Term of office.	SEC. 4. The said Trustees, Marshal, and Treasurer shall hold their offices for one year, and until their successors are elected and qualified, except as hereinafter in this Act provided.
Eligibility to office.	SEC. 5. No person shall be eligible to the office of Trustee, Marshal, or Treasurer, unless he be a qualified elector of the State of Nevada, nor unless he shall have been an actual resident of said town for six months next preceding the election.
Voters, qualification of.	SEC. 6. No person shall be entitled to vote at any election for said Trustees, Marshal, or Treasurer, unless he shall be a qualified elector of this State, and will have actually resided within the County of Storey for six months, and within the Town of Gold Hill for three months next preceding such election; and no person shall be entitled to vote except within the ward in which he resides, and has resided for thirty days next preceding such election.
Annual election.	SEC. 7. The annual election for Trustees, Marshal, and Treasurer shall be held on the first Monday in May in each year.
Election laws made applicable.	SEC. 8. All provisions of law, which now are or hereafter may be in force, regulating elections and providing for the registration of electors, so far as the same may be consistent with the provisions of this Act, shall apply to the election of officers herein provided for. The Board of Trustees shall, for
Notice.	two weeks prior to each annual election, publish notice, in a newspaper published in Storey County, to the effect that such election will take place in said town, for the election of three Trustees in the First Ward and two Trustees in the Second Ward, a Marshal, and Treasurer, naming the day on which such election will be held, and designating the polling places and the names of three Inspectors of Election for each ward. Soon as the votes are counted and tallied in each ward, the Inspectors and Clerks shall make out a statement showing the
Statement.	number of votes cast in each ward for the office of Trustee, Marshal, and of Treasurer, and for each person severally, which statement shall be certified under oath or affirmation, by at least two of said Inspectors and two Clerks, and they shall cause the same, together with the polling and tally lists, and tickets, duly sealed up in a package, to be delivered to the Board of Trustees, or the Clerk thereof, within two days after such election. Within three days after the receipt of the same, the Board of Trustees shall proceed to reexamine and ascertain from such statement and tally lists, what persons received the greatest number of votes for the office of Trustees, Mar-
Certificates of election.	shal, and of Treasurer, and a certificate of election shall be forthwith issued by the Clerk, under the direction and supervision of the Board, to the person or persons having received the greatest number of votes for each of said offices. The Clerk shall, without unreasonable delay, deliver said certificates to the person or persons for whom they are intended, and he or his successor shall safely keep the packages of tickets, together with the tally lists, and all other papers relating to such elec-

tion, for forty days from and after the day of election, when, if no notice of contest in such election shall have been served on him, he may destroy the same. Any qualified elector in said town shall have the right to contest the election of any person declared elected a Trustee, Marshal, or Treasurer, as provided in this section of this Act, and such contest shall be conducted in the manner required by the laws that now are or hereafter may be enacted by the Legislature, for contesting county or precinct elections. Contest.

SEC. 9. The Trustees, Marshal, and Treasurer chosen at any election held under this Act shall take the official oath provided by law, and enter upon the discharge of their official duties within five days after due notice of their election; and in case any Trustee, Marshal, or Treasurer shall fail to qualify within said time, his office shall be declared vacant; *provided*, that in case the person so elected be absent from the county at the time of his election, he shall be allowed twenty days in which to return and enter upon the duties of his office. Officers to qualify and enter upon discharge of duties, when.
Provide in case of absence.

SEC. 10. The Board of Trustees so elected shall, at their first meeting, or as soon thereafter as may be, select one of their number as President, who shall preside at their meetings, and perform such other duties as said Board may prescribe; *provided*, that it shall be his duty to make out, on the third Monday in April of each year, and cause to be published, either in a newspaper published in Storey County, or by posting, in not less than five public and conspicuous places in said town, a full and correct statement of the financial condition of the town, showing the total indebtedness thereof. President of Board.
Report by President.

SEC. 11. Whenever a vacancy shall occur in the office of Treasurer or Marshal, the Board of Trustees shall fill such vacancy; and, *provided further*, that whenever a vacancy shall occur in the office of Trustee, the remainder of said Board of Trustees, or a majority thereof, shall, at their next regular meeting held after the said vacancy shall have occurred, appoint some person to fill such vacancy; *provided*, that the person so appointed must be eligible to the office under the requirements of sections three, five, and six of this Act. Vacancies.

SEC. 12. The Board of Trustees shall have discretionary power to appoint a clerk and an attorney, at such rates of salary or contingent compensation as said Board may determine. The Board may also employ such other assistance or laborers as may be, from time to time, required for the care and repair of streets, waterworks, or other town property. Any of the aforesaid officers or employés, in this section provided for, may be by said Trustees removed or discharged, or the office or position abolished, as circumstances and a due sense of economy may require. Clerk, attorney, and other employés.

SEC. 13. The Board of Trustees shall hold regular meetings on the first and third Mondays in each month, and such other meetings as by adjournment or resolution they may determine; but the President of the Board shall have power to call special meetings whenever, in his judgment, it may be necessary. Meetings of Board.

SEC. 14. A majority of the Board of Trustees shall constitute a quorum for business; but a less number may adjourn from time to time, and may compel the attendance of absent Quorum of Board.

members, by peremptory order, or by resolution, imposing fine not to exceed ten dollars for any one meeting.

Rules of
Board, etc.

SEC. 15. The Board of Trustees shall adopt rules for the government of their own proceedings, and shall be the judges of the election and qualification of their own members, subject, however, to the decision of the District Court of the First Judicial District in cases of contested elections. Their meetings shall be public, except when the Board shall decide that the interests of the town require secrecy. A journal of all proceedings of the Board shall be kept by the Clerk; and the ayes and noes shall be taken at the request of any member, and shall be entered in the journal.

Journal.

Powers of
Board of
Trustees.

SEC. 16. The Board of Trustees shall have power:

First—To make by-laws and ordinances not repugnant to the Constitution and laws of the State of Nevada.

Second—To levy and collect taxes on all real and personal property within the town, made taxable by the laws of this State, for State and county purposes, which are now in force or may hereafter be enacted, except proceeds of mines, which shall not be subject to taxation, which tax shall not exceed one and three fourths per centum per annum on the assessed value of all property, with not to exceed ten per centum on the amount of such tax additional thereto, as a penalty on all delinquent taxes; *provided*, that they shall have further power, when in their opinion it may become necessary and expedient, to levy an additional tax, not to exceed five cents on each and every one hundred dollars valuation of all property, for the continuous maintenance of the public schools of said town, said tax to be collected at the same time and in the same manner as other taxes in this Act provided for.

Third—To lay out or extend, open, alter, or repair all streets and alleys, and provide for opening, grading, widening, draining, cleaning, and lighting, or otherwise improving the same. Also, to provide for the construction, repair, and preservation and cleaning off all sidewalks, crosswalks, bridges, sewers and drains. To prevent obstructions being erected or placed in any of the streets, alleys, or sidewalks, or the use of any sewers or drains as cesspools, and for the removal of the same. To compel the owners of lots and property to bear the expense of erecting sidewalks, or improving the road or streets in front of the same, by special tax or otherwise. To condemn property for the use or benefit of the town, in the following manner: The Board of Trustees shall appoint one referee, and the owner or owners of the property to be condemned shall appoint one referee, and in the event that the two referees so appointed shall fail to agree in the valuation of the property, the two so selected shall appoint a third referee, and the valuation of such property agreed to by such referees, or two of them, shall be final and binding upon the parties, unless the person or persons aggrieved by the decision of such referees, shall appeal from such decision or valuation to the District Court of the First Judicial District within thirty days after notice of such valuation shall have been served on him or them.

Fourth—To provide for the prevention and extinguishment of fires; also to organize, regulate, establish, locate, or disband fire or hose companies. Powers of
Board of
Trustees.

Fifth—To regulate the storage of gunpowder, and other explosive or other combustible material.

Sixth—To prevent and remove nuisances; also, to determine what are nuisances.

Seventh—To employ policemen, and prescribe their duties and compensation, and provide for the regulation and government of the same.

Eighth—To fix and collect a license tax on and regulate all theaters, circuses, shows, billiard tables, bowling alleys, and all other exhibitions and amusements.

Ninth—To fix and collect a license tax on bar-rooms, hurdy-gurdy houses, and public dance houses; on auctioneers, hawkers, peddlers, and all dealers in liquors; on all drays, job wagons or carts, or any other public vehicle running within the limits of said town for hire; also to fix and collect a license tax on all trades and business not heretofore specified or enumerated, having due regard to the amount of business done by each person or firm so licensed.

Tenth—To license, tax, and regulate, prohibit, and suppress, all tippling houses, dram shops, public card tables, raffles, hawkers, peddlers, and pawnbrokers, gambling houses, disorderly houses, and houses of ill fame; *provided, however*, that nothing in this section of this Act contained, shall be construed as granting power to suppress gaming when the same shall have been authorized by license, issued by proper authority, pursuant to the provisions of an Act entitled "An Act to restrict gaming," passed March fourth, one thousand eight hundred and sixty-nine, or any Act amendatory thereof.

Eleventh—To levy and collect an annual tax on all dogs owned or kept within the limits of said town, and to provide for the extermination of all dogs for which such tax shall not have been paid, and to prohibit the keeping of hogs, or the running at large of goats or cows within the corporate limits of said town.

Twelfth—To provide for the issuance of licenses before named, for such terms and in such sums as they may consider best; *provided*, that the several kinds of business or occupation to be licensed, shall be classified by ordinance, in two or more classes, with a specific or certain rate of license provided for each class, and the blank certificates of license for each class, including the fixed sum to be paid therefor by the licensee, shall be printed and numbered.

Thirteenth—To provide all necessary buildings for public use of said town.

Fourteenth—To establish a Board of Health, and define their powers and duties; to prevent the introduction or spread of disease, and to provide for the indigent.

Fifteenth—To prevent and restrain any riot or riotous assemblage or disorderly conduct, and to prohibit and suppress the

Powers of
Board of
Trustees.

sale of spirituous or malt liquors or wines on any day of municipal, county, or general election.

Sixteenth—To fix and prescribe the punishment for the breach of any town ordinance or resolution, but no fine shall be imposed for any offense in any sum greater than five hundred dollars, and no term of imprisonment shall be prescribed exceeding six months.

Seventeenth—To determine the duties and fix and establish the fees, salaries, compensation, and emoluments of all officers and employes of said town; *provided*, that the Trustees shall not receive, or be entitled to receive, for their services as such, any sum whatever.

Eighteenth—To compel the attendance of absent members, to punish members for disorderly conduct, and to expel a member for cause by a vote of four fifths.

To issue
bonds.

Nineteenth—To make all necessary contracts and agreements for the benefit of the town; and to contract debts on the faith of the town, but no debt shall be contracted, or liability incurred, except on a cash basis. To issue and sell bonds bearing interest at a rate not to exceed twelve per centum per annum, for the purpose of creating a Contingent Fund for current expenses, or for the purpose of paying, retiring, and cancelling any bonds or warrants, or other outstanding claims already existing against the town; *provided*, that the aggregate of liabilities outstanding shall not at any time exceed the sum of forty thousand dollars.

Twentieth—The said Board of Trustees shall not create a debt against the town for printing, in a greater sum than five hundred dollars per annum.

Redemption
Fund.

SEC. 17. One half of the revenue arising from the collection of taxes, as provided in the second subdivision of section sixteen of this Act, shall be set apart as a Redemption Fund, which Fund shall be used exclusively for the payment of the outstanding indebtedness of the town, in the manner hereinafter in this Act provided. The remaining one half of said revenue, together with all revenue derived from licenses, fines, and other sources, shall be set apart as a Contingent Fund, and used to defray the current expenses of the town.

Contingent
Fund.

Redemption
Fund.

Payments
out of, how
made.

SEC. 18. No money shall be paid out of the Redemption Fund except by order of at least four members of the Board of Trustees, and in the manner by them directed; and it shall be their duty, from time to time, when there shall be, in their judgment, a sufficient sum of money in the Redemption Fund, over and above the interest accrued or shortly to accrue on bonds outstanding, to give notice for at least five days, by publication in a newspaper published in Storey County, that sealed proposals, directed to the President of the Board of Trustees of the Town of Gold Hill, will be received until a day and hour stated in such notice for the surrender of warrants, bonds, or other legal evidences of indebtedness of said corporate body, known as "The Town of Gold Hill."

Proposals.

Proposals
to surren-
der indebt-
edness.

SEC. 19. At the expiration of the time named in said notice, the Board of Trustees shall meet and open such sealed proposals, and they shall accept the lowest and best bids or proposals for the surrender of said evidences of indebtedness speci-

fied in the preceding section of this Act; but no bid or proposal to surrender any such evidence of indebtedness at a higher rate than par value shall ever be accepted. Whenever any bids or proposals are accepted, the Clerk of the Board shall make a record in the journal of proceedings, describing the warrants or bonds, or other written evidence of indebtedness, to be redeemed, specifying the face or par value of the same, also the amount to be paid therefor, together with the number and date of issue, and such legal evidence of indebtedness shall be, by a vote of the Board, ordered paid; and soon as paid the Clerk shall cancel the same, by writing in red ink, across the face of the same, the words "Redeemed by payment of the sum of — dollars, in coin, this — day of —, 18—," which sum shall be paid out of the Redemption Fund; and all such evidence of indebtedness shall be filed away and preserved by the Treasurer.

SEC. 20. All legal claims or demands whatsoever existing or outstanding against said Town of Gold Hill, at the time of this Act going into effect, may be purchasable as provided in sections eighteen and nineteen of this Act, and paid out of said Redemption Fund.

What indebtedness to be purchased with Redemption Fund.

SEC. 21. All ordinances, contracts, or agreements passed or made, and all bonds, warrants, or other evidences of indebtedness issued, by such Board of Trustees, shall be held invalid unless signed by the President of said Board, and countersigned by the Clerk.

How ordinances, contracts, bonds, and warrants to be signed.

SEC. 22. Whenever there shall be more than sufficient money in the Contingent Fund to pay the current expenses of the town, the Board of Trustees shall have power to transfer a portion thereof to the Redemption Fund, to be used as is by this Act provided for other moneys in said Fund.

Transfer from Contingent to Redemption Fund.

SEC. 23. The Board of Trustees shall make out and publish, for at least three days, in a newspaper published in Storey County, in the months of January, April, July, and October of each year, a full and detailed statement of the receipts and disbursements, from what sources received, and for what purpose paid out, during the three months next preceding such report.

Statements of finances.

SEC. 24. It shall be the duty of the Board of Trustees to provide for the accountability of all officers or employes elected or appointed under this Act, to whom the receipt or expenditure of any of the funds of this corporation may be intrusted, by requiring of each of them sufficient security for the faithful and honest performance of their respective duties; and in case of neglect or refusal on the part of any of such officers or employes to furnish such security, to the satisfaction of said Board, within ten days after notice of such requirement, the said Board of Trustees may discharge such officers or employes, and proceed to appoint some other person to fill the place.

Accountability of officers to be secured.

SEC. 25. It shall be the duty of the Marshal to enforce the due obedience of the ordinances made by the Trustees, to perform the duties of Assessor when an assessment shall be made, to collect the taxes levied by said Board, to act ex officio as Chief of Police, and perform such other duties as shall be by said Trustees prescribed. It shall be his duty to collect all licenses due the town, and all other moneys or revenue due or

Duties of Marshal.

To act as Assessor. Ex officio Chief of Police.

To collect
licenses
and other
revenues.

to become due, and to pay the same over to the Treasurer. The time and manner of such assessing and collecting shall be such as the Trustees, by ordinance, may prescribe.

Assessment
and
collection
of taxes.

SEC. 26. Real and personal property may be sold for taxes due said town, by the Marshal. The manner of assessing and collecting taxes shall be prescribed by ordinance, and title upon sale of property for taxes, either real or personal, or mixed, shall vest in the purchaser, to be provided for by ordinance.

Tax deeds.

The Marshal shall, upon sale of real property for taxes, execute and deliver a deed of such property to the purchaser thereof, and such deed shall be received in any and all Courts in this State as *prima facie* evidence that the grantee or grantees named in said deed, or his or their successors in interest, have a good and legal title to the premises described therein; and possession of such property may be obtained in the form and manner provided by law, where the relation of landlord and tenant exists.

Duties of
Treasurer.

SEC. 27. It shall be the duty of the Treasurer to receive all moneys derived from any source for the benefit of said town, and he alone shall disburse the same on proper warrants or orders of the Board of Trustees. He shall keep an accurate and full account of all receipts and disbursements, and furnish the Board a full statement of the same whenever required, and his books shall be kept posted and subject to the examination of any member of the Board. All warrants and orders drawn on the Treasurer shall specifically show on their face for what service or indebtedness they are drawn, and on what Fund; and shall be paid in the regular order of registration on the Treasurer's books. The Treasurer shall perform such other duties as may be prescribed by ordinance or resolution of the Board.

Board to
provide for
assessment
and
collection
of taxes.

SEC. 28. The Board of Trustees shall make suitable provision, from time to time, for the assessment and collection of taxes and licenses and all other revenue due, or to become due, to said Town of Gold Hill, and the person or persons charged with the collection of such revenue shall pay all moneys by him or them collected, after deducting the percentage allowed by ordinance or resolution for collection, at least once in each week, to the Treasurer. The time and manner of assessing and collecting shall be such as the Board of Trustees may by ordinance prescribe.

Duties of
Clerk.

SEC. 29. The Clerk shall keep the corporate seal, books, and papers belonging to the town, and file all papers belonging to the town, in his office, under appropriate heads; attend all meetings of the Board of Trustees, and keep an accurate journal of their proceedings, including a record of all ordinances, by-laws, or resolutions passed or adopted by them, which journal shall, after approval at each meeting, be signed by the President of the Board. He shall also countersign and affix the corporate seal to all bonds or warrants issued in pursuance of the ordinances or resolutions of the Board. He shall number and countersign all licenses, which licenses shall be printed, showing on their face the class of license, with marginal stubs attached and stitched together in books, each book containing an equal number and of one class only. He shall be the custo-

dian of the blank licenses, and shall deliver from time to time such number thereof to the person authorized to collect license as the Board may direct, charging him therewith at their face or representative value, and giving him credit at the same rate for so many thereof only as he may return at time of settlement of his account. The Clerk shall also keep an accurate account of all bonds issued, and all warrants and orders drawn on the Treasurer, in such manner that the Board can at any time readily ascertain the actual outstanding indebtedness; and perform such other duties as may be required by the Board.

SEC. 30. Upon the passage of ordinances, or of any resolution appropriating money abolishing licenses, or increasing or reducing the rates of licenses, the yeas and nays shall be called, and entered in the journal. Yeas and nays.

SEC. 31. The style of all ordinances shall be "The Board of Trustees of Gold Hill do ordain." All ordinances shall be published for one week in a newspaper published in Storey County, prior to going into effect. Style of ordinance.

SEC. 32. Civil actions may be brought in the name of "The Town of Gold Hill," in any Court of competent jurisdiction, and actions for the violation of any ordinance of said town may be brought before any Justice of the Peace having jurisdiction within the corporate limits of said town, and fines imposed by such Justice may be recovered by execution against the property of the defendant, or the payment thereof may be enforced by imprisonment in the town jail, at the rate of one day for each two dollars of such fine and costs, or said Justice may, in his discretion, adjudge and enter upon his docket, an order that such offender shall work on the streets or public works, at the rate of one day for each two dollars of such fine and costs, until the same be so exhausted, or otherwise satisfied; *provided, however*, that appeals may be taken from the judgment of such Justice for the violation of ordinances to the Court of the First Judicial District, in the manner provided by law for appeals from Justices' Courts in criminal actions; *and, Venue. provided, further*, that in the trial of offenses for the violation of town ordinances, no change of venue to any Justice's Court beyond the limit of said town corporate shall be granted. How actions to be brought.

SEC. 33. Any Justice of the Peace within the corporate limits of said town shall be entitled to such fees, in the trial of cases arising out of violations of ordinances passed by the Board of Trustees, as said Board may by ordinance determine. It shall be the duty of such Justice to report to the Board at their first regular meeting in January, April, July, and October, of each year, which report shall show, in detail, the number of cases tried, the names of the defendants, the amount of fine imposed, the sum of money received in payment of such fine, the amount paid out for fees in the case, and to whom paid, and the balance remaining on hand, which balance he shall pay over at the close of each quarter year to the Treasurer, taking his receipt therefor, which receipt shall accompany his report to the Board of Trustees; and his docket of such cases shall always be open to the examination of said Board, or a committee thereof. Justices' fees.

Reports by Justice of Peace.

Town
Attorney's
fees.

SEC. 34. The attorney for the town, whenever one may be appointed, shall receive, or be entitled to receive, such fees, either contingent or fixed, as the Board may determine; *provided*, in the prosecution of suits in Justice's Court for the collection of delinquent taxes, the attorney's fees shall not exceed the sum of seven dollars and fifty cents in each case.

Vacancy in
case of re-
moval and
absence.

SEC. 35. If any officer of said town shall remove his residence therefrom, or absent himself for more than thirty days without leave from the Board of Trustees, his office shall be declared vacant, and the vacancy shall be filled as in this Act provided.

Present
officers to
remain in
office.

SEC. 36. The present officers of the Town of Gold Hill shall remain in office until their successors shall be elected or appointed and qualified, as provided and required in this Act; and nothing in this Act contained shall be construed as repealing, or in any manner affecting the force or validity of any ordinance or resolution now in force, nor as affecting the validity of any debt, liability, or contract now existing. All debts or liabilities contracted or incurred, either by the present Board or any former Board of Trustees, for which the faith and credit of the town has been pledged, or bonds or warrants, or other written evidences of indebtedness, have been issued, are hereby by this Act legalized and made valid liabilities against the said town.

Corporate
property.
Streets and
alleys to
be under
control and
jurisdiction
of Board.

SEC. 37. All property, whether real or personal, acquired in the name of, and for the benefit of, said town, by virtue of any former Act of the Legislature, or by any act or ordinance of any Board of Trustees, shall be the property of the corporate body created by this Act, and known as "The Town of Gold Hill." All streets, alleys, or avenues within said corporate town, laid out and platted in an official map of said town, drawn by George Hunt, C. E., in the year one thousand eight hundred and sixty-three, or in the official map of said town drawn by John Ostrom, C. E., in the year one thousand eight hundred and sixty-four, are hereby declared to be open and public streets, and exclusively under the control and jurisdiction of the Board of Trustees.

Salary of
Marshal.

SEC. 38. The salary of the Marshal shall not exceed, including compensation for assessing and collecting town taxes and licenses, the sum of two thousand five hundred dollars (\$2,500) per annum.

Acts
repealed.

SEC. 39. An Act entitled "An Act to incorporate the Town of Gold Hill," approved December seventeenth, one thousand eight hundred and sixty-two; an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Gold Hill,' approved December the seventeenth, one thousand eight hundred and sixty-two," approved February eighteenth, one thousand eight hundred and sixty-four; "An Act to incorporate the Town of Gold Hill," approved March seventh, one thousand eight hundred and sixty-five; an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Gold Hill,' approved March seventh, one thousand eight hundred and sixty-five," approved February twenty-fourth, one thousand eight hundred and sixty-six; also, an Act entitled "An Act to provide for the payment of outstanding indebtedness of the Town

of Gold Hill, Storey County," approved March ninth, one thousand eight hundred and sixty-five; an Act entitled "An Act to provide for the outstanding indebtedness of the Town of Gold Hill," approved March third, one thousand eight hundred and sixty-six; an Act entitled "An Act to incorporate the Town of Gold Hill," approved February twenty-fifth, one thousand eight hundred and sixty-nine; an Act entitled "An Act to incorporate the Town of Gold Hill," approved March third, one thousand eight hundred and seventy-one, and each and every preceding Act relating to the incorporation of Gold Hill, are hereby repealed.

SEC. 40. This Act shall go into effect on the first day of May, Anno Domini eighteen hundred and seventy-three. When Act to take effect.

CHAP. XXIX—*An Act to fund the hospital debt of Washoe County, and to provide for the payment of the same.*

[Approved February 24, 1878.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Washoe County, are hereby authorized and empowered to levy and collect annually, until the entire debt of the Hospital Fund of said county, now outstanding, shall have been paid, a tax of not to exceed one eighth of one per cent upon the assessed value of all the property, real and personal, within the boundaries of said Washoe County, for the purpose of creating a Fund to be applied in payment of the present indebtedness of the said Hospital Fund of Washoe County. Tax to be levied.

SEC. 2. Said tax shall be assessed and collected in the same manner, and subject to the provisions of the general laws for the assessment and collection of taxes, and assessed and collected at the same time, and by the same officers who assess and collect State and county taxes, and shall be paid over to the County Treasurer of Washoe County. The moneys so assessed, collected, and paid, shall be kept by the County Treasurer in a separate Fund, to be known as the Hospital Redemption Fund; and no moneys shall be paid out of said Fund except as herein-after provided. Tax to be assessed and collected in manner of other State and county taxes. Proceeds to be paid into Hospital Redemption Fund.

SEC. 3. Whenever at any time there shall be in said Redemption Fund, five hundred dollars, or over, it shall be the duty of the County Treasurer to give one week's notice, by publication in some newspaper published in the County of Washoe, that sealed proposals directed to him, will be received for the surrender of the certificates of indebtedness of the said Hospital Fund, and that said sealed proposals will be received by him until the next regular or adjourned meeting of the Board of County Commissioners of said county thereafter; and at the time for the first meeting of the said Board thereafter, such Payments out of Hospital Redemption Fund, how made. Treasurer's notice. Sealed proposals.

Treasurer
to attend
meeting
of Board.

Board, together with the County Clerk and Treasurer, shall attend at the meeting room of such Board, and then and there open all sealed proposals, and accept the lowest bid or bids for the surrender of the certificates of indebtedness of said Hospital Fund. No bid for more than par value shall be so accepted, nor unless accompanied with the certificate or certificates of said hospital indebtedness. That shall be considered the lowest bid which offers the largest amount of evidences of indebtedness, in par value, for the smallest amount of money. The County Treasurer shall return all unaccepted bids, together with the certificates of indebtedness therein contained, to the owner, on demand.

Accepted
bids, how
paid.

SEC. 4. When any bids are accepted, the County Auditor and County Treasurer shall each take a description of the certificate or certificates of indebtedness to be redeemed, specifying the amount to be paid for each of the same, the date, number, and amount thereof, and make a record thereof in their respective offices; and thereupon the Board of County Commissioners shall, by order, direct the County Treasurer to purchase the certificates of indebtedness designated in the accepted bid or bids, and pay for the same out of the said Hospital Redemption Fund aforesaid; and all certificates of indebtedness so redeemed shall be canceled by the County Treasurer, by writing across the face thereof the words (in red ink), "Purchased and redeemed," adding thereto the time when the same was so redeemed, the amount paid therefor, and sign the same officially. The order of the Board of County Commissioners aforesaid, together with the record made by the County Auditor as herein required, shall be sufficient vouchers for the Treasurer in the settlement of his accounts.

Redeemed
certificates
of indebted-
ness to be
canceled.

Balance of
Fund to be
transferred
to General
Fund.

SEC. 5. Whenever it is ascertained that all the indebtedness of the said Hospital Fund, as provided in this Act, shall have been redeemed and paid, it shall be the duty of the Board of County Commissioners to order, and the County Treasurer to transfer on such order, the balance of money remaining in said Hospital Redemption Fund to the General Fund of the county, and notify the Auditor of the amount so transferred, and the time of the transfer; which amount shall become a part of and belong to the General Fund of said Washoe County.

Act to take
effect.

SEC. 6. This Act shall be in force and take effect from and after the first day of April, eighteen hundred and seventy-three.

CHAP. XXX.—*An Act to provide for transferring and replacing money of certain Funds of Washoe County.*

[Approved February 24, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The County Commissioners of Washoe County are hereby authorized to transfer from the Building Fund of said county, to the Indigent Sick Fund of said county, so much of the surplus money now in the Building Fund, or that may hereafter come into said Fund, as may be required to place said Indigent Sick Fund on a permanent cash basis, and to replace the same out of any money which may hereafter come into said Indigent Sick Fund.

Transfer
from
Building
Fund to
Indigent
Sick Fund.

SEC. 2. The County Commissioners of Washoe County are hereby authorized, and it shall be their duty, to transfer any and all surplus money that may accrue to the Indigent Sick Fund of Washoe County to the Hospital Redemption Fund of said county, where such money shall be subject to the same provisions as other money in that Fund.

Transfer
from
Indigent
Sick Fund
to Hospital
Redemption
Fund.

SEC. 3. The County Commissioners of Washoe County are hereby authorized, and it shall be their duty, to continue to place in the Indigent Sick Fund of said county, until the entire hospital debt now outstanding shall have been paid, the same *pro rata* of all moneys collected for county purposes as is now placed in the Hospital Fund of said county.

Pro rata
of county
taxes to be
placed in
Indigent
Sick Fund.

SEC. 4. It shall be the duty of the County Treasurer of said county, upon the order of the Board of County Commissioners, to transfer said moneys from the Building Fund to the Indigent Sick Fund, and to replace the same upon the order of said Board.

Treasurer
to transfer
funds upon
order of
Board.

SEC. 5. This Act shall be in force from and after the first day of April, eighteen hundred and seventy-three.

Act to take
effect.

CHAP. XXXI.—*An Act to compel children to attend school.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every parent, guardian, or other person in the State of Nevada, having control and charge of a child, or children, between the ages of eight and fourteen years, shall be required to send such child, or children, to a public school for a period of at least sixteen weeks in each school year, at least eight weeks of which shall be consecutive, unless such

All
children
between
eight and
fourteen
years to
attend
school.

Exception. child, or children, are excused from such attendance by the Board of School Trustees of the school district in which such parents or guardians reside, upon its being shown to their satisfaction that the bodily or mental condition of such child, or children, has been such as to prevent his, her, or their attendance at school, or application to study, for the period required, or that such child, or children, are taught in a private school, or at home, in such branches as are usually taught in a primary school, or have already acquired the ordinary branches of learning taught in the public school; *provided*, in case a public school shall not be taught for the period of sixteen weeks, or any part thereof, during the year, within two miles, by the the nearest traveled road, of the residence of any person within the school district, he or she shall not be liable to the provisions of this Act.

Board of School Trustees to furnish list. **Sec. 2.** It shall be the duty of the Board of School Trustees of each school district in this State, on or before the first Monday in September in each year, to furnish the principal of each public school taught in such district with a list of all children, resident in the school district, between the ages of eight and fourteen years, said list to be taken from the report of the School Census Marshal. At the beginning of each school month thereafter, it shall be the duty of the principal of each school in such district to report to the Board of School Trustees of such district the names of all children attending school during the previous school month; when, if it shall appear, at the expiration of four school months, to the Board of School Trustees, that any parent, guardian, or other person having charge or control of any child, or children, shall have failed to comply with the provisions of this Act, the Board shall cause demand to be made upon such parent, guardian, or other person, for the amount of the penalty hereinafter provided; when, if such parent, guardian, or other person, shall neglect or refuse to pay the same within five days after the making of said demand, the Board shall commence proceedings, in the name of the school district, for the recovery of the fine hereinafter provided, before any Justice of the Peace in the township in which said school district is located; or, if there shall be no Justice of the Peace therein, then before the nearest Justice of the Peace in the county.

Penalty. **Sec. 3.** Any parent, guardian, or other person having control or charge of any child, or children, failing to comply with the provisions of this Act, shall be liable to a fine of not less than fifty dollars, nor more than one hundred dollars, for the first offense, nor less than one hundred dollars, nor more than two hundred dollars, for the second and each subsequent offense, besides the costs of collection.

Board School Trustees to furnish books, stationery, etc. **Sec. 4.** Whenever it shall appear to the satisfaction of the Board of School Trustees of any school district in this State that the parents, guardians, or other persons having control and charge of any child, or children, in attendance upon the public school of said district, in accordance with the provisions of this Act, are unable to procure suitable books, stationery, etc., for such child, or children, it shall be the duty of such Board to procure, or cause to be procured, for such child, or

children, all necessary books, stationery, etc., the same to be paid for out of the Fund of said school district, in the same way that other claims against the school district are now allowed and paid; *provided*, that all books, stationery, etc., purchased under the provisions of this Act shall be deemed to be the property of the school district, to be under the care and control of the School Trustees, when not in actual use.

SEC. 5. All fines collected under the provisions of this Act shall be paid into the County Treasury on account of the State School Fund. Fines to go to State School Fund.

SEC. 6. It shall be the duty of the County Superintendent of Public Schools in each county in this State to cause this law to be published in some newspaper in his county, if any there be, four consecutive times, annually, for a period of two years, the expense of such publication to be allowed and paid out of the General School Fund of the county. The Board of School Trustees in each school district shall cause to be posted, annually, for a period of two years, in three public places in their district, notices of the requirements and penalties of this law. County Superintendent to publish this law. Notice to be posted.

SEC. 7. This Act shall take effect and be in force from and after its passage. Act to take effect.

CHAP. XXXII.—*An Act to incorporate the Ancient Order of Hibernians.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Lodges of the Ancient Order of Hibernians, located in the State of Nevada, shall be deemed bodies corporate and politic. Lodges of Ancient Order of Hibernians incorporated.

SEC. 2. The said Lodges of the Ancient Order of Hibernians shall have power in their corporate capacity: Corporate powers.

First—To sue or be sued, in any Court having competent jurisdiction.

Second—To make and use a seal, and to alter the same at pleasure.

Third—To acquire by purchase, bequest, or donation, directly or indirectly, hold in perpetuity, sell and convey such property, real or personal, as may be deemed necessary by the proper authorities thereof to carry out the charitable purposes of said Lodges, or for the establishment and endowment of a school or schools, hospital or hospitals, cemetery or cemeteries, in said State, and for the necessary uses, purposes, and ceremonies of said Orders.

Fourth—To elect or appoint, according to their respective regulations and customs, not less than three, nor more than fifteen, persons to serve as Trustees, who shall have charge of

all real and personal property belonging thereto, and transact all business relative thereto.

Fifth—And generally be entitled to all the rights, privileges, and immunities usually had or enjoyed by such corporations.

Board of
Trustees to
exercise
the
corporate
powers.

SEC. 3. The corporate powers of said Lodges of the Ancient Order of Hibernians shall be vested in Boards of Trustees, elected or appointed, as provided in section two of this Act; such Boards being subject to such rules and regulations as may be adopted according to the rules and customs of said Orders or Lodges for the government of said Boards of Trustees. They shall hold office until their successors are appointed or elected, and the certificate filed, as provided in section four of this Act. Vacancies in the Board of Trustees shall be filled as provided by the regulations of said Lodges. Said Trustees shall give such bonds as may be required of them, conditioned for the faithful performance of their duties.

Term of
office of
Trustees,
etc.
Vacancies.
Bonds.

Certificate
of election
of Trustees.

SEC. 4. Upon the election or appointment of Trustees, as provided in this Act, a certificate of such election or appointment shall be executed by the person or persons making the appointment, or the Judges holding the election, duly acknowledged before a competent officer, and shall be filed and recorded in the office of the Clerk of the county in which such Order or Lodge is located; or, in case of Grand Lodges, in the office of the Secretary of State.

Division of
property
upon disso-
lution of
corporation

SEC. 5. Where any Lodge, or Order, incorporated under the provisions of this Act, shall disincorporate or disband, by their own act, the proceeds of all property, real or personal, shall, after paying all just dues or demands against such Lodge or Order, be divided *pro rata* among the charitable institutions of the county where such Lodge or Order be located.

Reports by
Board of
Trustees.

SEC. 6. It shall be the duty of said Boards of Trustees, annually, or semi-annually, accordingly to their terms of office, to make a full report of all property, real and personal, held in trust by them, and the conditions of the corporation, a copy of which shall be filed in the office in which, according to section four, their certificate of election has been filed, with an affidavit of the truth of said report.

CHAP. XXXIII.—*An Act to authorize the temporary use of moneys levied and collected for the Building Fund of Washoe County, for certain purposes.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Moneys in
Building
Fund to be
applied to
purchase
claims on
other
Funds.

SECTION 1. At any time prior to the first day of January, A. D. eighteen hundred and seventy-five, when there shall be a sum in the Building Fund of Washoe County exceeding five hundred dollars, over and above current demands for semi-annual interest on the bonds of said county issued on its loan

of money to erect its county buildings, and over and above other demands and allowances against said Fund provided for by law, the County Commissioners of said county may order their Clerk to give notice of such fact, that sealed proposals, addressed to such Clerk, and marked "Proposals to sell county claims," will be received by such Clerk, at his office, until twelve o'clock, noon, of the next regular or adjourned monthly meeting of said Board of Commissioners, naming its date, and that audited claims upon the General Fund of said county (or other Funds when in arrear) will be purchased at said meeting to the amount in said Building Fund applicable to that purpose on the day of opening, of such proposals, of such person or persons who offer the largest discounts on the par value or face amounts of such audited claims. Such audited claims shall be inclosed in such sealed proposals, or be handed to the Clerk with such proposals, who shall, when required, receipt for such claims to be purchased or returned. Such notice shall be advertised at least fifteen days before such proposals shall be opened, in a newspaper printed and published at the county seat of Washoe County, and during that period, copies of such notice shall be posted conspicuously at the Court House, at the Post Office, and at the passenger depot in the Town of Reno, in said county.

Notice for
proposals.

Notice
to be
advertised.

Notice to
be posted.

SEC. 2. The County Clerk of said county shall receive and securely keep, without examining or disclosing the contents, all such proposals from date of such notice, until the time for opening the same, as a duty of his office; and at one o'clock P. M., on the day of the meeting of said Board as advertised, or so soon thereafter as such Board shall meet, said Clerk, in the presence of said Board, or a quorum thereof, shall open such sealed proposals. The Board, then, in presence of said Clerk, and the Auditor of said county, who shall attend for such purpose, shall examine such proposals, and accept from among them, to the amount of money in said Building Fund applicable to that purpose, such claims upon which the greatest discount is offered to be made, in such proposals, from the par value or face amount of such claims. Where the discounts offered on the dollar are equal, the claims first audited shall be first purchased. No offer shall be accepted unless the audited claims accompany or are contained in the proposals. All claims not accepted shall be returned by the Clerk of the Board to the owner or persons who furnished the same, with the sealed proposals, or to his or their order. All claims purchased shall be indorsed "Purchased," and be attested by the signature of the acting Chairman of the Board, and the Clerk and Auditor shall each make entry in proper records of the date, number, face, amount, and at what discount purchased, as to each audited claim so purchased. The Auditor shall issue to the seller a warrant for the amount due him on his claim or claims so purchased of him to the Treasurer of said county, upon the Building Fund of said county, and credit said Fund with the amount of such warrant or warrants, and deliver to the Treasurer the claims so purchased. The Treasurer of the county shall pay such warrants, when presented, out of the Building Fund of said county, credit such Fund with the amount so paid, and

Clerk to
receive
proposals.

Auditor
to attend
meeting.

Claims
to be
returned.

Auditor
to issue
warrant.

Auditor
and
Treasurer
to keep
accounts.

debit the Fund upon which such purchased claim was audited with the amount paid for it out of the Building Fund, and both the Treasurer and Auditor shall keep correct and perspicuous accounts of the claims so purchased, the amounts paid therefor, and the amount of discounts thereon, so as to show the state of the finances of the county as affected by the operation of this Act, as well as under the general system of such accounts; and such audited claims so purchased, and warrants given in payment, shall be kept and disposed of as other warrants and claims are after payment.

Funds to be
returned
to said
Building
Fund.

SEC. 3. At any time when needed, before and on the first day of January, A. D. eighteen hundred and seventy-five, the Treasurer of said county shall return all, or so much as may be required, of the money of the Building Fund used as provided in this Act, for the benefit of other Funds of the Treasury of Washoe County, to said Building Fund thereof, out of any moneys in said Funds, upon which audited claims have been purchased, to the amount paid from the Building Fund for such purchases. To this end, said Treasurer is hereby authorized to reserve in said several Funds, in advance of the repayment provided for to said Building Fund, sufficient sums to reimburse to said Building Fund the amounts used from it for the benefit of other Funds of said county's Treasury.

No claim
to be
purchased
except less
than par.
Official
services to
be without
charge.

SEC. 4. No claim against said county shall be purchased, unless at some discount from its par value, or face amount. All services performed under this Act by the Board, Clerk, and Auditor, shall be performed as acts of official duty, without charge to Washoe County.

CHAP. XXXIV.—*An Act to amend an Act entitled "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seven of the Act entitled "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one, is hereby amended so as to read as follows:

Surplus
remaining
after
payment
of interest,
how
disposed of

Section Seven. Whenever, at the time of paying the semi-annual interest on the bonds provided to be issued by this Act, there shall remain a surplus after the payment of such interest, over and above the amount which it may be necessary to reserve for the payment of the next ensuing semi-annual interest, of five thousand dollars or more, in the Fund created by the fifth section of this Act, it shall be the duty of the Commissioners to advertise in one or more daily newspapers published in this

State, and in the Cities of San Francisco and New York, for sealed proposals for the surrender of bonds issued under this Act. They shall advertise the amount of money on hand applicable to the redemption of such bonds, and they shall accept such proposals, at rates not exceeding ten per cent. over par value, as may redeem the greatest amount of bonds, until the cash on hand for redemption is exhausted. If there shall be no bids for the surrender of bonds presented to or received by the said Commissioners, as provided in this section, it shall be their duty, by and with the advice and consent of the Governor, to invest the surplus on hand in said Interest and Sinking Fund, for the redemption of said bonds, in the interest-bearing gold bonds of the United States, which bonds, with the interest thereon, shall remain in said Interest and Sinking Fund, until it becomes necessary to dispose of them to meet the principal or interest of the bonds provided to be issued by this Act.

To be
invested,
when.

CHAP. XXXV.—*An Act to amend an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, one thousand eight hundred and sixty-seven, and to fund the floating debt, and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seven of the Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one, is hereby amended so as to read as follows:

Section Seven. Whenever, at the time of paying the semi-annual interest on the bonds provided to be issued by this Act, there shall remain a surplus, after the payment of such interest, over and above the amount which it may be necessary for the payment of the next semi-annual interest, of five thousand dollars, or more, in the Fund created by the fifth section of this Act, it shall be the duty of the Commissioners to advertise in one or more daily newspapers published in this State, and in the Cities of San Francisco and New York, for sealed proposals for the surrender of bonds issued under this Act. They shall state in such advertisement the amount of money on hand applicable to the redemption of such bonds, and they shall accept such proposals, at rates not exceeding ten per cent. over par value, as may redeem the greatest amount of bonds, until the cash on hand for redemption is exhausted. If there shall be no bids for

Surplus
remaining
after
payment
of interest,
how
disposed of.

Surplus
to be
invested,
when.

the surrender of bonds presented to or received by the said Commissioners, as provided in this section, it shall be their duty, by and with the advice and consent of the Governor, to invest the surplus on hand in said Interest and Sinking Fund, for the redemption of said bonds, in the interest-bearing gold bonds of the United States; which bonds, with the interest thereon, shall remain in said Interest and Sinking Fund until it shall become necessary to dispose of them to meet the principal or interest of the bonds provided to be issued by this Act.

CHAP. XXXVI.—*An Act to define the time for levying and assessing taxes for State and county purposes.*

[Approved February 25, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State and
county
taxes to
be levied,
when.

SECTION 1. All State and county taxes required to be levied by the Boards of County Commissioners of the several counties of this State, in pursuance of the revenue laws of this State, shall hereafter be levied by such Boards of County Commissioners on or before the first Monday of April in each year.

Lien of
State and
county
taxes
attaches,
when.

SEC. 2. The lien against the property upon which such taxes may be levied, as provided by such revenue laws, shall hereafter attach upon such property on the first Monday of April in each year.

Assessment
of State
and county
taxes, when
to be made.

SEC. 3. Between the first Monday of April and the second Monday of September, in each year, the County Assessors of the several counties of this State shall assess all property in their respective counties, and enter such assessments in the assessment rolls of their respective counties in manner and form as prescribed by the laws of this State; *provided*, that taxes on proceeds of mines, and all taxes levied for municipal purposes in incorporated cities and towns, shall be levied, assessed, and collected in the manner heretofore provided by law; *and, provided further*, that the County Commissioners of the several counties of the State may, by an order, prescribe the time, between the first Monday of April and the second Monday of September (not later than the first Monday in June), when the County Assessor shall commence his assessment.

Proviso.
Taxes on
proceeds of
mines, and
municipal
taxes.
Proviso.
County
Commissioners may
prescribe
time when
Assessors
shall
commence
work.

Acts
repealed.

SEC. 4. All Acts, and parts of Acts, so far only as they conflict with the provisions of this Act, are hereby repealed.

CHAP. XXXVII.—An Act to provide for obtaining correct statements of the financial condition of the several counties of this State, and other matters of statistical information.

[Approved February 26, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It is hereby made the duty of the several County Auditors of this State, on the first day of December of each year, to prepare and forward to the Controller of State a statement, showing:

County Auditor to make statement.

First—The indebtedness of such county, funded and floating, stating the amount of each class, and the rate of interest borne by such indebtedness, or any part thereof, and the amount of cash in the County Treasury, in its several Funds.

County indebtedness and interest.

Second—A careful estimate of the value of all property owned by such county.

Value of county property.

Third—The aggregate value of the real estate and personal property in such county, as shown by the last assessment roll, stating each separately.

Value of real and personal property in the county.

Fourth—The rate of taxation in said year in such county, and the amount of poll taxes collected, and the number of registered voters.

Rate of taxation.

Fifth—The amount of taxes so assessed, stating the portion, if any, there was delinquent.

Amount of taxes assessed.

SEC. 2. On or before the first of March, of each year, the Surveyor General shall furnish to the Auditor of each county a sufficient number of copies of the circular letter provided for by section sixth of "An Act concerning the office of Surveyor General," approved March twentieth, eighteen hundred and sixty-five, for the use of the County Assessor of the county, and said Auditor shall deliver the same to the Assessor, on or before the second Monday of March, of each year.

Surveyor General. Circular letter to County Auditors. County Auditor to deliver same to County Assessor.

SEC. 3. It shall be the duty of each County Assessor, at the time he delivers to the Clerk of the Board of Equalization his assessment roll, to deliver also a written report to the County Auditor, of the following matters within his county:

County Assessor to deliver statement to County Auditor.

First—The number of acres in agriculture, and the approximate amount of agricultural, grazing, and timber lands.

What statement to contain.

Second—The number of horses, mules, jacks, jennies, cattle, sheep, goats, and swine.

Third—The aggregate quantity of wheat, rye, maize, potatoes, grapes, and other agricultural products of the preceding year.

Fourth—A statement of the approximate quantity of mineral lands in such county, and the approximate quality and value of such.

Fifth—The number of mills, manufactories, distilleries, and breweries, classifying each; and the number and length of all flumes and water ditches used to convey water for mining, manufacturing, or agricultural purposes.

Sixth—He shall also report such other matters as may be required by the annual circular of the Surveyor General; and for such report he shall be allowed such a sum as may be fixed by the Board of County Commissioners, not exceeding the sum of fifty dollars; and until the delivery of such report the last month's salary or wages of said Assessors shall be retained.

County Auditor to forward report to Surveyor General.

SEC. 4. Each of such County Auditors shall, immediately upon receiving the report of the County Assessor provided for in this Act, forward the same, by mail or express, to the Surveyor General of the State.

Controller of State and Surveyor General to report to the Legislature

SEC. 5. The Controller of the State and the Surveyor General shall include in their annual reports to the Governor, a digest and synopsis, in tabular form, of all reports received by them under the provisions of this Act, and shall name therein the counties, if any, which have failed to make the report herein provided; and the Governor shall transmit said reports of the Controller and Surveyor General of the State to the Legislature.

Surveyor General, circular letter to include what.

SEC. 6. It shall be the duty of the Surveyor General to cause to be inserted in his annual circular letter, provided for in section six of "An Act concerning the office of the Surveyor General," approved March twentieth, eighteen hundred and sixty-five, so much of this Act as shall give the County Assessors knowledge of the duties required of them by this Act, and he shall cause to be printed an appropriate set of blanks for the use of such Assessors in reporting uniformly the matters required of them by this Act, and shall forward a sufficient number of such blanks to the County Auditor at the time of sending his circular letter, as in this Act provided. And the said Auditors, at the time of delivering said circulars, shall deliver to said Assessors the necessary blanks, as provided for in this Act.

Blanks to be furnished County Auditors.

Same to the County Assessors.

Printing required by this Act, etc.

SEC. 7. The costs of printing by this Act required shall be audited by the Controller of State, and allowed and paid in the same manner as provided by law for other printing.

Information required to be given in Assessors' reports, when to be gathered.

SEC. 8. It is hereby required of the County Assessors and all Deputy County Assessors, that the information required of them by this Act shall be gathered and collected at the time they make their annual assessment for taxation, as required by law, and shall be gathered by diligent and personal inquiry; and each of them shall certify to said reports of statistical information, that the same has been so gathered, and is as full and complete as can reasonably be made.

When Act to take effect.

SEC. 9. This Act to take effect and be in force from and after its passage.

CHAP. XXXVIII.—An Act relating to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sureties upon the official bond of Eben Rhoades, late Treasurer of the State of Nevada, executed and approved on the thirtieth day of January, one thousand eight hundred and sixty-seven, are hereby released and discharged from all claims and demands on the part of the State of Nevada. Sureties on bond of Eben Rhoades, late State Treasurer, released and discharged.

SEC. 2. The Attorney General is hereby authorized and directed to discontinue any and all suits now pending in any of the Courts of this State against the said sureties upon said bond, or by reason thereof. All suits thereon, to be discontinued.

SEC. 3. This Act to take effect from and after its passage. When Act to take effect.

This is to certify that Senate Bill number twenty-three, "An Act relative to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada," passed the Senate February twenty-sixth, eighteen hundred and seventy-three, notwithstanding the objections of the Governor, by the following vote: Yeas, 17; nays, 7.

FRANK DENVER,
President of the Senate.

CHAS. F. BICKNELL,
Secretary of the Senate.

This is to certify that Senate Bill number twenty-three, "An Act relative to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada," passed the Assembly February twenty-sixth, eighteen hundred and seventy-three, notwithstanding the objections of the Governor, by the following vote: Yeas, 85; nays, 11.

JOHN BOWMAN,
Speaker of the Assembly.

A. WHITFORD,
Clerk of the Assembly.

CHAP. XXXIX.—An Act to regulate marks and brands of stock.

[Approved February 27, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Owners of horses, mules, cattle, sheep, goats, or hogs running at large, must have a mark or brand, and counterbrand, different from any one in use by any other person, so far as may be known. Marks and brands and counterbrands.

SEC. 2. Every such owner shall record with the Recorder of his county, his mark, brand, and counterbrand, by delivering to said Recorder his mark, cut upon a piece of leather, and his brand and counterbrand burnt upon it, and the same shall be kept in the Recorder's office; a certified copy thereof made by Marks, brands, and counterbrands to be recorded.

the Recorder, with the seal of his office attached thereto, shall be deemed evidence on the trial of any action in a Court of competent jurisdiction, as to the ownership of all animals legally marked or branded as hereinafter provided. The Recorder shall enter in a book to be kept by him for that purpose, a copy of said marks, brands, and counterbrands, provided that such Recorder shall be satisfied that such brand and counterbrand tendered to him for record is unlike any other mark, brand, or counterbrand in the county, or as far as his knowledge extends, is different from any other in the State. For recording the mark, brand, and counterbrand, and transmitting the same as hereinafter provided, the Recorder shall be entitled to demand and receive two dollars.

Fees for recording.

Recorder to transmit transcript, etc.

SEC. 3. It shall be the duty of every Recorder in this State to transmit to the Recorders of the adjoining counties, a transcript of all the marks, brands, and counterbrands recorded in his office, which shall be filed by any such Recorders in their offices, and reference thereto shall be made in every case of application for the record of marks and brands under this Act.

Penalty for neglect.

SEC. 4. Any Recorder knowingly and willfully neglecting or refusing to comply with the provisions of this Act, shall forfeit and pay for every such neglect or refusal, any sum not less than twenty-five nor more than one hundred dollars, to be recovered before any Justice of the Peace of said county where such neglect or refusal may occur, by any person suing therefor, together with all costs and damages that may occur by such neglect or refusal.

To be recovered before Justice of the Peace.

Stock, when to be branded.

SEC. 5. Every person shall brand his horses and mules, and mark and brand his cattle before they are twelve months old, and mark his sheep, goats, and hogs, before they are six months old. On the trial of an action as provided in section two of this Act, to recover possession of any animal which is marked or branded as provided in this Act, the mark and brand shall be primary evidence that the animal belongs to the owner or owners of the mark or brand, and that he, she, or they were entitled to the possession of the said animal at the time of the commencement of the action.

Brand or mark in evidence.

Person to have but one mark, brand, or counterbrand. Proviso.

SEC. 6. No person shall use more than one mark, brand, or counterbrand; *provided*, however, this shall not extend to those persons who are the owners of more than one ranch or farm.

Penalty for using other brand than one recorded.

SEC. 7. If any person shall use any mark, brand, or counterbrand other than the one recorded by him, except by the consent of the owner of such other mark, brand, or counterbrand, he shall be liable to forfeit and lose to any person suing therefor, the stock so marked or branded with any other than his proper mark or brand recorded by him.

Certain marks prohibited.

SEC. 8. No person shall be allowed to use a mark by cutting off the ear, or by cutting the ear on both sides to a point; all persons who may have now such marks, shall be obliged to alter them with respect to the cattle, sheep, and hogs they may have to mark, after the passage of this Act.

No mark, brand, or counterbrand lawful without recording.

SEC. 9. No mark, brand, or counterbrand shall be considered as lawful if not recorded as specified in this Act; and all persons selling or disposing of any cattle which are not intended for slaughter, or any horses, mares, males, jacks, or jennies,

shall be required to counterbrand them on the shoulder, or give a written descriptive bill of sale, and any person failing to so counterbrand said animals, or give such written bill of sale, shall lose all benefits of this Act, and all rights to use said brand as evidence in any Court, under this Act.

Counter-branding, or bill of sale, when required.

SEC. 10. If any person who, with the intent to defraud, or willfully mismark or misbrand any stock not his own, or kills any stock running at large, whether branded, marked, or not, shall, on conviction thereof, be deemed guilty of felony, and shall be punished by imprisonment in the State Prison for a term not less than six months nor more than five years.

A felony to mismark or misbrand stock, or to kill stock running at large. Penalty.

SEC. 11. This Act shall take effect from and after the first day of May, eighteen hundred and seventy-three.

Act to take effect.

CHAP. XL.—*An Act to amend an Act entitled, "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.*

[Approved February 27, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five hundred and eighty-two of said Act is hereby amended so as to read as follows:

Section Five Hundred and Eighty-two. All causes appealed to the District Court shall be tried anew in said Court, and said Court may regulate by rule the practice in such cases in all respects not provided for by statute; *provided*, that the appellant shall in no case recover from respondent the cost incurred on appeal, unless he recover in the District Court a judgment more favorable to himself than the judgment appealed from, but shall, unless he recover in the District Court a judgment more favorable to himself than the judgment appealed from, pay the costs of respondent on appeal; and if such judgment be a money judgment in favor of appellant, and of sufficient amount to cover respondent's costs, such costs shall be deducted from said judgment; and in all other cases respondent shall have judgment against the appellant for the amount of his costs so incurred; *provided*, that whenever the Judge of the appellant Court shall be satisfied from the evidence that the appellant had reasonable grounds for his appeal, and that such appeal was taken in good faith for the sole purpose of promoting the ends of justice, such Judge may then order such costs to be taxed against the respondent, or may apportion the costs between the parties in such manner as will be just.

Causes to be tried anew.

Costs of appeal against appellant not recovering a more favorable judgment.

Satisfaction of Judge as to reasonableness of appeal.

CHAP. XLI.—*An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District between Churchill and Nye Counties.*

[Approved February 27, 1878.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary
District
Judge
of Fifth
District.

SECTION 1. Hereafter, Churchill County shall pay fourteen hundred dollars of the salary of the District Judge of the Fifth Judicial District, comprising Churchill and Nye Counties; and Nye County shall pay twenty-two hundred dollars thereof.

CHAP. XLII.—*An Act to amend an Act entitled "An Act concerning wills," approved December nineteenth, eighteen hundred and sixty-two.*

[Approved February 27, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Wills of
married
women.

Section Two. Any married woman may dispose of all her separate estate by will, absolutely, without the consent of her husband, either express or implied, and may alter or revoke the same in like manner as a person under no disability may do. Her will must be attested, witnessed, and proved in like manner as all other wills.

CHAP. XLIII.—*An Act to amend an Act entitled "An Act to provide for the incorporation of religious, charitable, literary, scientific, and other associations," approved March second, one thousand eight hundred and sixty-seven.*

[Approved February 27, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Certificate
of election
of Trustees
and
Directors.

Section Two. Upon the appointment or election of such Trustees or Directors, a certificate of such appointment or election shall be executed by the person or persons making the appointment, or the Judges holding the election, or the Secretary of

the association or society, stating the names of the Trustees or Directors. The name by which the association or society shall thereafter forever be called and known shall be particularly mentioned and specified.

Names of
Trustees or
Directors.
Name of
association
or society.

CHAP. XLIV.—*An Act for the relief of R. Webber and D. B. Collins.*

[Approved February 27, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of fifteen hundred dollars is hereby appropriated out of the General Fund not otherwise appropriated for the payment of R. Webber and D. B. Collins for medical attendance upon — Isaacs, who was wounded in the emeute from the State Prison, on the seventeenth day of September, A. D. eighteen hundred and seventy-one.

Appropriation made.

SEC. 2. The Controller of State is hereby authorized and required to draw his warrant in favor of R. Webber and D. B. Collins, conjointly, in full satisfaction of the above named claim, and the Treasurer of State is hereby required to pay the same.

Controller to draw his warrant.

CHAP. XLV.—*An Act for the government and maintenance of the State Orphans' Home.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The administration of the State Orphans' Home shall be under the control of a Board of three Directors, to consist of the Superintendent of Public Instruction, Surveyor General, and State Treasurer. They shall elect from their number a President and Secretary. They shall be known by the name and style of the Directors of the State Orphans' Home.

Board of Directors.

President and Secretary of Board.

SEC. 2. The Directors shall have full power to manage and administer the affairs of said Home, to make by-laws for their own government and the government of the Home; provided, that they are not repugnant to the laws of the United States or of this State. They shall cause to be kept a record of their proceedings, which shall at all times be open for the inspection of a committee appointed by the Legislature; they shall submit to the Legislature, during the second week of each session, a biennial report, showing the amount of receipts and expenditures, the condition of the Home, the number of orphans

Powers and duties of Directors.

Record of proceedings.

Report to the Legislature.

Power to
erect
buildings.

To appoint
Superin-
tendent and
Matron.

Accounts
against the
Home.

Controller
to draw
warrant.

Salaries of
Superin-
tendent, etc

Directors
to inform
Trustees of
Nevada
Orphan
Asylum.

Orphans
declared
wards of
the State.

Whole
orphans
admitted
by order of
District
Court or
Judge, pro-
ceedings
to have.

Proviso.

and half orphans admitted and discharged during the interval between the regular sessions of the Legislature; they shall have power to erect such additions to the building occupied as the Home (with the appropriations made biennially for its support) as may be necessary for the proper care and accommodation of the inmates; to appoint a Superintendent and Matron, who shall be man and wife, and a teacher, who shall reside at the Home, and have charge of the educational department—said teacher to be duly qualified as is now provided under the State School Law. The Directors shall also have power to employ all other suitable persons necessary to conduct the affairs of the Home.

SEC. 3. All accounts and demands against the State Orphans' Home shall be examined and approved by the Board of Directors before going before the State Board of Examiners, and when allowed by the Board of Examiners, the Controller of State shall draw his warrant on the State Orphans' Home Fund for the amount.

SEC. 4. The salary of the Superintendent and Matron shall not exceed in the aggregate two thousand dollars per annum, nor that of the teacher one thousand dollars per annum, nor that of the Secretary three hundred dollars per annum.

SEC. 5. It is hereby made the duty of the Board of Directors to inform the Trustees of the Nevada Orphan Asylum that they will receive all orphans in their charge, now maintained in any manner by the State, and will bear all the necessary expenses in their removal, at any time when desired by the Trustees of, said Nevada Orphan Asylum.

SEC. 6. It is hereby determined and declared that all orphans duly admitted to the State Orphans' Home thereby become the wards of the State of Nevada, and are entitled, under the provisions of this Act, to the care, protection, and guardianship of the State of Nevada; and it is further determined and declared that the State of Nevada, for the care, protection, and guardianship of all such wards, is entitled to their services as herein provided, and has the right to train and educate them for useful places in society, and that such rights of the State are superior to the claims of any and all relations or persons, resident or non-resident.

SEC. 7. Upon the application, in writing, of any citizen of the State of Nevada, in behalf of any whole orphan, to the District Judge of any county, showing such orphan to be the child of parents who (or either of them) at the time of decease were resident citizens of the State of Nevada, and that the condition of said orphan is such that it would be for his or her best interest to be admitted to the State Orphans' Home, and giving the name and place of residence of the nearest relation of such orphan, resident in the State of Nevada, such application being verified by the oath of the party making it, the District Judge, sitting either in chambers or as a Court, shall issue a citation, to be served, respected, and enforced as are other judicial writs, commanding applicant to be and appear before him, at a time and place to be specified, not less than five days thereafter (provided, said District Judge may, in his discretion, shorten the time), and make proof concerning the matter in the application set forth,

and a notice of the hearing shall be given in like manner to the nearest relation of the orphan, resident in the State; at the same time the Judge shall cite the party having the control or custody of said orphan to bring him or her before the Judge on the date of hearing. On the day of the hearing the Judge or Court shall examine into the matter of the application, and may hear evidence, and require witnesses to be produced before him, and shall examine said orphan separate and apart from all persons, and if the Judge or Court determines that it is for the best interests of such orphan and of the State that he or she shall be admitted to the privileges of the State Orphans' Home, he shall make an order to that effect, and direct the Sheriff or some other suitable person to convey or have conveyed said orphan to said Home, accompanied by a copy of the order of the Court, and delivered to any member of the Board of Directors of said Home. Any whole orphan under the age of ten years need not be brought before such Judge or Court on the day of hearing mentioned; but on application, in writing, as hereinbefore set forth, of the nearest relation of any such whole orphan, the notice and citation precedent to the hearing may, in the discretion of the Judge, be omitted. The expenses of the proceedings herein provided for, and of the transportation of orphans to the Home, shall be a county charge.

SEC. 8. All orphans admitted to the State Orphans' Home, shall, under the direction of its Board of Directors, be taught the usual branches of an English education, and the male orphans shall be taught useful trades and occupations, and engaged in useful employment, as the Board of Directors shall order. The female orphans shall be taught the useful occupation of housewifery, and such other useful occupations as the Board of Directors may provide. All labor and occupation shall be fitted to the capacity and best ability of the orphan, as the Board of Directors may determine.

SEC. 9. Upon complying with the requirements of this Act, all orphans under fourteen years of age may be admitted to the State Orphans' Home; and for the purposes of this Act, the age of majority for all orphans that are or may be wards of the State, shall be eighteen years.

SEC. 10. If during the wardship of any orphan in said Home, he or she shall escape or remain absent from said Home without consent of due authority, it shall be lawful and it is hereby made the duty of the Board of Directors, and such officers as they may empower, to pursue and capture such ward and return him or her to the Home; and they are hereby empowered, in the name of the State of Nevada, with the consent of the Attorney General, to bring and maintain a summary action at law, or to sue out a writ of *habeas corpus* to recover and detain any escaping orphan from such Home. And in case any orphan in said Home shall be or become possessed of property, it shall be the duty of said Board of Directors to appear in any Court or proceeding for the purpose of having appointed a proper guardian of the estate of such orphan, and at all times to ap-

Party having custody of orphan to be cited.

Expense to be a county charge.

Orphans to be educated, and taught useful trades and occupations

Orphans admitted under fourteen years.

Age of majority.

Escaping orphans to be recaptured.

Action may be brought.

Board to appear in all proceedings affecting property of ward.

pear, answer for, and represent said orphan for the protection and care of such property.

Board of Directors may discharge or apprentice orphan.

SEC. 11. Whenever said Board shall deem it for the best interest of any orphan in said Home, or of the State, they may discharge any orphan therein; and they are hereby empowered, whenever they may deem it meet and proper, to apprentice any orphan in said Home to the head of any family, or to any person carrying on a useful and proper business; but in all such indentures of apprenticeship the Board shall reserve the power to themselves at any time to cancel the same, and reclaim said orphan to the Home whenever in their judgment the best interests of said orphan and the State shall demand.

Half orphans may be admitted.

SEC. 12. Nothing in this Act shall be construed to prevent the Board of Directors, at their discretion, from receiving any half orphan from its living resident parent into said Home upon such terms and under such contract as said Board may determine; and they may require the living parent of any half orphan so admitted to contribute such sum to its support as they may determine.

Half orphans wards of the State.

SEC. 13. Half orphans admitted to the Home are hereby declared and adjudged to be wards of the State as fully as whole orphans, subject only to such conditions of admission as may be fixed by the Board of Directors.

Orphan to be returned to parent or guardian competent to support.

SEC. 14. The Board, on the certificate of the District Judge of the county from which any orphan or half orphan was sent, that the parent or guardian is competent to resume the guardianship of such orphan, shall release said orphan, and return him or her to such guardian, and such guardian shall be required to pay all the expenses incident to the removal and return of such orphan to his or her guardian.

Estimates to be furnished by Superintendent and Matron to Board of Directors.

SEC. 15. It shall be the duty of the Superintendent and Matron to furnish, on the first Monday of each quarter of the year, to the Board of Directors, an estimate of all stores, supplies, and fuel required for the use of the State Orphans' Home for the next ensuing three months. The said estimates shall state the kind, quality, and amount of such stores, supplies, and fuel, and shall be filed in the office of the Secretary, always subject to examination.

Notice of proposals for supplies

SEC. 16. The Board of Directors, upon the receipt of said estimate, shall give notice by advertisement, in one daily paper in Ormsby County, for six days, that sealed proposals will be received for furnishing to the State Orphans' Home the amount, quality, and kind of stores, supplies, and fuel, contained in the quarterly estimate now on file in the office of the Secretary of the Board of Directors of the State Orphans' Home.

Duties of Board of Directors with respect to proposals for supplies

SEC. 17. The Board of Directors and Secretary are hereby directed to meet at the office of the Secretary on the first Monday of the second week in each quarter, and then and there open all the sealed proposals. The lowest sealed proposals in price shall be accepted, and noted in the minutes of the Secretary, and the Secretary shall notify the person or persons of the acceptance of their proposal for furnishing the State Orphans' Home with stores, supplies, and fuel; *provided*, the Board of Directors shall have the right to reject any and all bids from persons not responsible.

SEC. 18. All Acts, and parts of Acts, so far as they conflict with the provisions of this Act, are hereby repealed. Acts repealed.

CHAP. XLVI.—*An Act to create the County of Eureka and provide for its organization.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The County of Eureka is hereby created, with the following boundaries, to wit: All that portion of the State of Nevada bounded and described as follows, viz: Beginning at a point on the north boundary line of Lander County, equidistant between the northeast and northwest corners of said Lander County; thence running due south from said initial point to the south boundary line of said Lander County; thence running east along said south boundary line of Lander County to the southeast corner of said Lander County; thence running north along the east boundary line of said Lander County to the northwest corner of White Pine County; thence running west along the south boundary line of Elko County to the southwest corner of said Elko County; thence running along the west boundary line of Elko County to the northeast corner of said Lander County; thence running west along the north boundary line of said Lander County to the place of beginning. The County of Eureka shall employ and pay some competent surveyor to establish the boundary line between the said Counties of Lander and Eureka. County of Eureka created. Boundaries.

SEC. 2. The county seat of said county is hereby located at the Town of Eureka; a Court House, Jail, and other necessary county buildings, shall be provided by the County Commissioners of said county. County line to be established.

SEC. 3. The following named persons shall be and are hereby constituted the officers of said county, who shall hold their respective offices until their successors are elected and qualified, to wit: Sheriff, John D. Sullivan; County Recorder, A. S. Campbell; County Clerk, F. H. Harmon; County Assessor, C. C. Wallace; County Treasurer, W. A. Seaton; County Surveyor, W. A. Edwards; District Attorney, George W. Baker; Public Administrator, Francis Hanson; County Superintendent of Public Schools, William Head; County Commissioners, D. H. Hall, E. E. Phillips, L. W. Cromer. The said officers shall perform the duties now or hereafter required by law of officers of the same character in the other counties of this State; *provided*, that five hundred or more of the qualified electors of the County of Eureka shall, on or before the first Monday in July, A. D. eighteen hundred and seventy-three, petition the Board of County Commissioners to order an election for county officers, as above named. Then it shall be the duty of the County seat and county buildings.

Officers of county constituted and appointed.

Proviso. Special election for county officers first Monday of August, A. D. 1873.

Townships
and
township
officers
continued.

Board of County Commissioners to call an election to fill the various county offices, on the first Monday in August, A. D. eighteen hundred and seventy-three; and the Board of County Commissioners are fully authorized and empowered to make all necessary arrangements to carry this provision into effect. In the event of an election, in compliance with the provisions of this section, on the first Monday in August, A. D. eighteen hundred and seventy-three, all officers elected at that time shall hold their respective offices until the next general election, or until their successors are elected and qualified. The townships embraced within the territory comprising the County of Eureka shall be and as heretofore fixed and established during the time the same composed a part of Lander County, until otherwise changed by the County Commissioners; and the Justices of the Peace and Constables heretofore elected or appointed to office in said townships, as Justices and Constables of Lander County, shall hold the offices of Justices of the Peace and Constables of said townships, respectively, for the County of Eureka, until their successors are elected and qualified.

Senatorial
and
Assembly
representation
of
Eureka and
Lander
Counties.

SEC. 4. The Counties of Lander and Eureka shall be entitled, severally, to elect Senators and Assemblymen, as prescribed in this section, to wit: at the general election, for members of the Legislature, in the year eighteen hundred and seventy-four, the County of Lander shall elect one Senator and two Assemblymen; and the County of Eureka shall elect two Assemblymen at said election; and at the general election, in the year eighteen hundred and seventy-six, the County of Eureka shall elect one Senator and two Assemblymen; *provided*, that if a vacancy shall occur in the office of Senator from Lander County, now filled by the Hon. G. W. Cassidy, by reason of his death, resignation, or otherwise, then the Counties of Lander and Eureka shall jointly elect one Senator to fill such vacancy for the unexpired term.

Proviso.

Salaries of
officers.

SEC. 5. The salary of the District Attorney for Eureka County is hereby fixed at twelve hundred (\$1,200) dollars per annum; and the salary of the County Treasurer shall be sixteen hundred (\$1,600) dollars per annum; and the salary of the County Superintendent of Public Instruction shall be fixed by the County Commissioners, not to exceed six hundred (\$600) dollars per annum; and their fees shall be the same as officers of like character under the laws of this State.

Eureka
County to
assume and
pay portion
of debt of
Lander
County.

Lander
County
Debt Fund
created.

Payments
from
Lander
County
Debt Fund,
how made.

SEC. 6. The County of Eureka shall assume, and pay to Lander County, one half of the debt of said county at the time this Act takes effect. For the purpose of paying said amount, twenty per cent. of all the county revenues collected by the County of Eureka shall be placed in a Fund, to be called the Lander County Debt Fund, which Fund shall be applied exclusively to the payment of said debt until the whole of said share of indebtedness shall be paid. Warrants drawn upon the County of Eureka in favor of the County of Lander, under the order of the Board of Commissioners of Eureka County, shall be paid out of said Fund by the Treasurer of said county until the said share shall be fully satisfied. All moneys received from Eureka County by Lander County shall be accredited in

the Redemption Fund of said latter county. The County Commissioners of the respective counties aforesaid shall conjointly determine the amount of said debt that the said Eureka County shall pay to the said County of Lander.

SEC. 7. Eureka County shall be a portion of the Sixth Judicial District until otherwise provided by law. It shall be the duty of the District Judge of the Sixth Judicial District, to hold terms of Court in said Eureka County, at the county seat of said county, commencing on the first Monday of February, May, August, and November, successively, after the organization of said Eureka County. Said Eureka County shall pay one half of the salary of the Judge of the Sixth Judicial District out of the District Judge's Salary Fund of said county, under the order of the County Commissioners of said Eureka County, after the organization of said county, until otherwise provided by law.

Eureka County part of Sixth Judicial District. Terms of Court.

Eureka County to pay half of salary of Judge.

SEC. 8. All suits now pending in the District Court of the Sixth Judicial District, which in any way appertain to property, real, personal, or mixed, belonging to or being in the County of Eureka after its organization, and all actions for the recovery of any debt, claim, or demand whatsoever, between citizens of Eureka County, shall, (if then undetermined) at least ten days before the first day of the first term of the District Court of the Sixth Judicial District, be by the County Clerk of Lander County transferred, duly and legally certified, to the County Clerk of Eureka County, and all suits so transferred shall be by the County Clerk of said Eureka County, filed in his office, and entered in the calendar of the aforesaid first term of said District Court; *provided*, where both the plaintiff and defendant to any suit shall file a written statement with the County Clerk of Lander County, requesting that the suit to which they are parties may be determined in said Sixth Judicial District, then, and not otherwise, said suit or suits shall not be transferred as herein provided.

Transfer of actions from Lander to Eureka County.

Proviso.

SEC. 9. The County Recorder of Lander County is hereby authorized and empowered, and it shall be his duty to transcribe into suitable books, all the records in his custody pertaining or relating to or affecting the title to any property situated in said County of Eureka, and to make a suitable index thereto. Said transcript and index shall be made as soon as practicable after the passage of this Act, and when completed shall be delivered to the County Recorder of said Eureka County, and shall thereafter be kept in his office, and shall be for every purpose of the same force and effect as other county records. The Recorder of Lander County shall be entitled to receive as compensation for the services hereby imposed, one half of the fees now allowed by law for recording and indexing written instruments in his office. His claims for said compensation shall be allowed by the County Commissioners of Eureka County on the completion and delivery of said transcript and index, and be paid as other claims against said county.

Recorder of Lander County to transcribe records.

Compensation.

SEC. 10. The provisions of this Act shall take effect and be in full force from and after the twentieth (20th) day of March, A. D. eighteen hundred and seventy-three, at which time said county shall be duly organized.

Act to take effect.

CHAP. XLVII.—*An Act for the relief of John B. Helm, Sheriff of Esmeralda County.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of twenty-two hundred and fifty-one (\$2,251) dollars, less five hundred dollars paid for capture of said prisoners, is hereby appropriated out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into such General Fund, for the payment of John B. Helm, Sheriff of Esmeralda County, for expenses incurred by him in the months of September and October, eighteen hundred and seventy-one, in recapturing and returning to the State Prison of this State, John Burk and Tilton Cockerell, escaped prisoners.

Controller to draw warrant.

SEC. 2. The Controller of this State is hereby directed to draw his warrant in favor of said John B. Helm for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XLVIII.—*An Act for the relief of Francis S. Armistead.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of seven hundred and fifty (\$750) dollars is hereby appropriated, out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into said General Fund, for the payment of Francis S. Armistead, for actual expenses incurred by him for capturing Leander Morton and Moses Black, State Prison convicts, in the month of September, eighteen hundred and seventy-one.

Controller to draw warrant.

SEC. 2. The Controller of State is hereby directed to draw his warrant in favor of said Francis S. Armistead for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XLIX.—*An Act for the relief of the California Institution for the Education of the Deaf and Dumb and the Blind.*

[Approved March 1, 1873.]

WHEREAS, Through clerical error, the appropriation for the education of the deaf and dumb of the State for the seventh and eighth fiscal years was insufficient; and whereas, by action of the State Board of Examiners, the sum of six hundred and eighty-five dollars is found due the California Institution for the support and education of pupils from this State during the year eighteen hundred and seventy-two; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Controller is hereby directed to draw his warrant upon the General Fund, in favor of the California Institution for the Deaf and the Dumb and the Blind, for the sum of six hundred and eighty-five dollars, and the Treasurer is directed to pay the same out of any moneys in said Fund not otherwise appropriated.

Controller of State to draw warrant.
Treasurer of State to pay warrant.

CHAP. L.—*An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The office of President of the Board of Directors of the State Library is hereby created.

Office of President of Board of Directors created.

SEC. 2. The Attorney General shall be President of the Board of Directors of the State Library, and shall receive, as compensation for duties performed by him as such President, the sum of one hundred dollars per month, payable quarterly, out of any money not otherwise specifically appropriated.

Attorney General to be President of Board. Compensation.

SEC. 3. This Act shall be in force from and after its passage, and shall continue in force until the first Monday in January, A. D. eighteen hundred and seventy-five, and no longer.

Act in force, when to continue.

CHAP. LI.—*An Act to authorize the payment of the claim of Alexander Leport, for wood furnished the State, for the use of the sixth session of the Legislature of Nevada.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

Controller to draw warrant.

Act to take effect.

SECTION 1. The sum of fourteen hundred and fifty-two dollars is hereby appropriated, out of any moneys in the General Fund not otherwise specifically appropriated, for the purpose of paying the claim of Alexander Leport, for wood furnished for the use of the Legislature of Nevada, at its sixth session; and the Controller of State is hereby authorized and required to draw his warrant upon the Treasurer, in favor of said Alexander Leport, for said amount, and the Treasurer is hereby required to pay the same.

SEC. 2. This Act shall be in force and take effect on and after its passage.

CHAP. LII.—*An Act to provide for the payment of the claim of Calvin Swift.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

Controller to draw warrant.

SECTION 1. The sum of four hundred dollars is hereby appropriated, out of any funds in the State Treasury not otherwise specially appropriated, for the purpose of paying the claim of Calvin Swift, for three and one third months serving as employé for State Mineralogist, during the year A. D. eighteen hundred and sixty-nine, in the field.

SEC. 2. The Controller of this State is hereby directed to draw his warrant in favor of said Calvin Swift, for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. LIIII.—*An Act to create Contingent Funds for the Senate and Assembly.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Treasurer is hereby authorized and directed to set apart, from any moneys in the General Fund not otherwise appropriated, the sum of twenty-five hundred dollars, one thousand dollars of which sum shall constitute the Contingent Fund of the Senate, and fifteen hundred dollars of which sum shall constitute the Contingent Fund of the Assembly.

Contingent Fund of Senate and Contingent Fund of Assembly created.

SEC. 2. The said Funds shall be under the exclusive control of the Senate and Assembly, respectively. Each House may direct the payment of moneys from its own Contingent Fund, by resolution, and the Controller of State is authorized and required to draw his warrant in accordance therewith.

Funds controlled and disbursed, how.

Controller to draw warrant.

CHAP. LIV.—*An Act to provide for the support and maintenance of the public schools of Eureka County.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Treasurer of Lander County is hereby authorized and required to pay over to the Treasurer of Eureka County, for the use and benefit of the public schools of said county, such portion of the moneys now in the School Fund of said Lander County as may, by *pro rata* apportionment, belong to the several districts included within the limits of said Eureka County, said moneys to be held and disbursed in accordance with the provisions of the School Law of this State.

Treasurer Lander County to pay over to Treasurer Eureka County certain school moneys. How disbursed.

SEC. 2. The Superintendent of Public Instruction is hereby authorized and required, in making his second semi-annual apportionment for the year eighteen hundred and seventy-three, to apportion such moneys as may be demanded by the school census returns on file in his office, from Austin, Reese River Valley, and Argenta Districts, to Lander County, and such moneys as may be demanded by said returns, from Eureka and Palisade Districts, to Eureka County.

Superintendent of Public Instruction to apportion certain moneys to Lander County and Eureka County, respectively.

CHAP. LV.—*An Act to amend an Act entitled "An Act to amend an Act relative to Attorneys and Counselors at law," approved March fourth, eighteen hundred and seventy-one.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of said Act is hereby amended so as to read as follows:

License
and oath.

License,
payment of.

Section Four. Every person, before receiving a license to practice law, shall take, before some officer, authorized by the laws of this State to administer oaths, the oath prescribed by law, and after procuring the State Controller's order on the State Treasurer, to receive the same, pay over to said State Treasurer the sum of twenty-five dollars for the use of the State Library Fund; and the Clerk of the Court shall require of the person so admitted, the clearance of the State Controller, certifying the payment of said twenty-five dollars into the State Treasury, before issuing such license, and in no case shall the license be issued until such clearance is filed in the office of the Clerk.

CHAP. LVI.—*An Act providing for the appointment and payment of an Agent or Agents, at Washington, D. C., for attending to the certification of lands granted by Congress to the State of Nevada.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Agents to
be ap-
pointed to
represent
State of
Nevada
before
Land Office
and De-
partment of
Interior, at
Washing-
ton, D. C.
Duties of
agent.
Compens-
ation.

Appropriation.

SECTION 1. The Board of Regents are hereby authorized and required to appoint an agent or agents, who shall be duly authorized to represent the State of Nevada, before the General Land Office and Department of the Interior, at Washington, D. C.; and whose duty it shall be to attend to the certification of lands selected in satisfaction of the grants made by Congress to said State, and to represent said State in all matters growing out of the adjustment and settlement of said grants. The said Board of Regents shall fix the compensation of the said agent or agents, at a sum not exceeding one thousand five hundred dollars per annum; and the amount so fixed shall be paid annually out of any moneys in the State Treasury not otherwise appropriated, upon bills to be certified and approved by the Board of Examiners; in payment of which the Controller of State shall draw his warrant upon the Treasurer of State. And the sum of three thousand dollars is hereby appropriated for the aforesaid purpose.

SEC. 2. An Act entitled "An Act supplementary to an Act entitled 'An Act to provide for the selection and sale of the lands granted by the United States, to the State of Nevada, approved April second, eighteen hundred and sixty-seven,' and providing for the payment of the claim of Britton and Gray," approved February twentieth, eighteen hundred and seventy-one, is hereby repealed. Acts repealed.

CHAP. LVII.—*An Act to amend an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one.*

[Approved March 4, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said Act is hereby amended so as to read as follows:

Section Six. It shall be the duty of the Sheriff to attend in person, or by deputy, at all sessions of the District Court in his county, and to obey all the lawful orders and directions of the same; to execute the process, writs, or warrants of Courts of justice, judicial officers, and Coroners, when delivered to him for that purpose. Duty of Sheriff to attend terms of Court, etc.

CHAP. LVIII.—*An Act to provide funds for the payment of the current expenses of Eureka County.*

[Approved March 4, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Eureka County, Nevada, are hereby authorized and empowered to issue the bonds of said county, in any sum not to exceed twenty thousand dollars. No bonds issued as herein provided shall be of less amount than two hundred dollars, and none for a greater amount than one thousand dollars each. Said bonds shall bear interest at a rate not to exceed eighteen per cent. per annum, and shall be redeemed in the following manner: Said bonds shall be payable at the office of the County Treasurer of Eureka County on the first Monday of July, A. D. eighteen hundred and seventy-seven. Of the first moneys coming into the County Treasury in the years A. D. eighteen hundred and seventy-three and eighteen hundred and seventy-four, and after the apportionment has been made for State purposes, and to the District Judge's Salary Fund, the County Auditor shall set apart a suffi- Issuance of bonds authorized.

Bonds redeemed, how.

County Auditor to set apart moneys.

cient sum to pay the interest on said bonds; and during the years eighteen hundred and seventy-five and eighteen hundred and seventy-six, and up to July, A. D. eighteen hundred and seventy-seven, sufficient shall be set apart to pay the bonds and remaining interest.

Sale of bonds, how made.

SEC. 2. Whenever, in the opinion of the Board of County Commissioners, the issuance of said bond is necessary for the best interest of said Eureka County, the County Treasurer shall sell, at par, not over five thousand dollars' worth of bonds, unless otherwise ordered by the Board of County Commissioners; and the proceeds thereof shall be placed in the County Treasury, as a Fund for the payment of the current expenses of said county; *provided*, that no portion thereof shall be appropriated or paid as salaries or fees to county officers, unless in transporting persons convicted of crime to the State Prison.

Proviso. Proceeds not to be applied on fees or salaries. Bonds to be printed by County Commissioners.

SEC. 3. The County Commissioners are hereby authorized and empowered to have the bonds printed in form and manner to carry out the provisions of this Act.

Interest, when and where payable.

SEC. 4. The interest on said bonds shall be payable semi-annually, at the office of the County Treasurer, in Eureka, Eureka County, Nevada.

CHAP. LIX.—*An Act making appropriations for deficiencies in seventh and eighth fiscal years.*

[Approved March 4, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Deficiency appropriations.

SECTION 1. The following sums of money are hereby appropriated out of any money in the Treasury, not otherwise appropriated, for miscellaneous deficiency claims against the State: To Alfred Helm, one hundred and sixteen dollars and sixty cents; to Samuel C. Wright, one hundred and twenty dollars; to E. B. Rail, four hundred and nine dollars and seventy-five cents; to H. S. Mason, two hundred and ninety-nine dollars and fifteen cents; to Bragg and Folsom, six hundred and seventeen dollars and fifty cents; to Henry Meyers, seven hundred and seventeen dollars and seventy-five cents; to John G. Fox, four dollars; to McNally and Hawkins, sixteen hundred and ten dollars and ninety-eight cents; to Wells, Fargo & Co., seven dollars; to Jerry Schooling, one hundred and fifty dollars; to William E. Armstrong, three hundred and twenty dollars; to Maxim Gas Company, thirty-nine dollars; to Carson Post Office, thirty-six dollars and fifteen cents; to Richard Mills, eighteen dollars and fifty cents; to Brittan & Co., two hundred and forty-nine dollars and fifty cents; to Abram Curry, eight hundred dollars; to George B. Webb, fifty dollars; to Mrs. George B. Webb, fifty dollars; to Miss M. Curry, forty dollars; to Miss Bessie Roy, forty dollars; to Miss A. M. Barton, thirty-four dollars and sixty-seven cents; to Mrs. B. Kelly, five dollars

and thirty-three cents; to John G. Fox, twenty-nine dollars and ninety-three cents; to Ah Sam, twenty dollars; to John Rosser, one hundred and thirty-five dollars and ninety-eight cents; to Olcovich Brothers, one hundred and thirty-seven dollars and twenty-five cents; to O. P. Willis, forty-one dollars and twenty-five cents; to Dr. J. P. Mooklar, fifty dollars and ninety-eight cents. For clerical services in the office of the State Land Register, to be paid out of the State School Fund, the following amounts: To S. H. Day, two hundred and thirteen dollars and eighty-six cents; to T. W. Healy, eighty-three dollars and thirty-three cents; to Alexander Mitchell, eight hundred dollars; *provided*, that the sums in this Act enumerated shall be, and they are hereby, appropriated as full payment of the claims herein recited. Deficiency appropriations. Proviso.

CHAP. LX.—*An Act to amend an Act entitled "An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company, bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same," approved January twenty-seventh, eighteen hundred and sixty-nine.*

• [Approved March 4, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seven, of said Act, shall be amended so as to read as follows:

Section Seven. Whenever at any time, all interest due upon said bonds shall have been fully paid, and there shall be in said fund a surplus, which upon a fair estimate of the receipts which will probably come into the same, will not be needed for the payment of the future interest to accrue within the next succeeding twelve months, the Board of Commissioners after having ascertained the amount of said surplus, may proceed to notify the holders of said bonds, by advertising, or by such other means as they at their option may deem expedient, stating the amount of money on hand to be applied in the purchase of said bonds, and inviting sealed proposals for surrendering the same, to be filed with the Clerk of said Board on or before a day named therein. At the next meeting of the Board after said day, the Board shall open such sealed proposals as shall have been filed on or before the day fixed, and to the extent of the amount named shall purchase the bonds so offered, giving preference in all cases to the bidder who shall offer said bonds at the lowest price; *provided*, that no offer shall be accepted for more than the par value of said bonds. Surplus not needed to be applied to payment of bonds. Proposals to surrender bonds invited. Proposals opened. Proviso.

Townships
and
township
officers
continued.

Board of County Commissioners to call an election to fill the various county offices, on the first Monday in August, A. D. eighteen hundred and seventy-three; and the Board of County Commissioners are fully authorized and empowered to make all necessary arrangements to carry this provision into effect. In the event of an election, in compliance with the provisions of this section, on the first Monday in August, A. D. eighteen hundred and seventy-three, all officers elected at that time shall hold their respective offices until the next general election, or until their successors are elected and qualified. The townships embraced within the territory comprising the County of Eureka shall be and as heretofore fixed and established during the time the same composed a part of Lander County, until otherwise changed by the County Commissioners; and the Justices of the Peace and Constables heretofore elected or appointed to office in said townships, as Justices and Constables of Lander County, shall hold the offices of Justices of the Peace and Constables of said townships, respectively, for the County of Eureka, until their successors are elected and qualified.

Senatorial
and
Assembly
representation
of
Eureka and
Lander
Counties.

SEC. 4. The Counties of Lander and Eureka shall be entitled, severally, to elect Senators and Assemblymen, as prescribed in this section, to wit: at the general election, for members of the Legislature, in the year eighteen hundred and seventy-four, the County of Lander shall elect one Senator and two Assemblymen; and the County of Eureka shall elect two Assemblymen at said election; and at the general election, in the year eighteen hundred and seventy-six, the County of Eureka shall elect one Senator and two Assemblymen; *provided*, that if a vacancy shall occur in the office of Senator from Lander County, now filled by the Hon. G. W. Cassidy, by reason of his death, resignation, or otherwise, then the Counties of Lander and Eureka shall jointly elect one Senator to fill such vacancy for the unexpired term.

Proviso.

Salaries of
officers.

SEC. 5. The salary of the District Attorney for Eureka County is hereby fixed at twelve hundred (\$1,200) dollars per annum; and the salary of the County Treasurer shall be sixteen hundred (\$1,600) dollars per annum; and the salary of the County Superintendent of Public Instruction shall be fixed by the County Commissioners, not to exceed six hundred (\$600) dollars per annum; and their fees shall be the same as officers of like character under the laws of this State.

Eureka
County to
assume and
pay portion
of debt of
Lander
County.

Lander
County
Debt Fund
created.

Payments
from
Lander
County
Debt Fund,
how made.

SEC. 6. The County of Eureka shall assume, and pay to Lander County, one half of the debt of said county at the time this Act takes effect. For the purpose of paying said amount, twenty per cent. of all the county revenues collected by the County of Eureka shall be placed in a Fund, to be called the Lander County Debt Fund, which Fund shall be applied exclusively to the payment of said debt until the whole of said share of indebtedness shall be paid. Warrants drawn upon the County of Eureka in favor of the County of Lander, under the order of the Board of Commissioners of Eureka County, shall be paid out of said Fund by the Treasurer of said county until the said share shall be fully satisfied. All moneys received from Eureka County by Lander County shall be accreted in

the Redemption Fund of said latter county. The County Commissioners of the respective counties aforesaid shall conjointly determine the amount of said debt that the said Eureka County shall pay to the said County of Lander.

SEC. 7. Eureka County shall be a portion of the Sixth Judicial District until otherwise provided by law. It shall be the duty of the District Judge of the Sixth Judicial District, to hold terms of Court in said Eureka County, at the county seat of said county, commencing on the first Monday of February, May, August, and November, successively, after the organization of said Eureka County. Said Eureka County shall pay one half of the salary of the Judge of the Sixth Judicial District out of the District Judge's Salary Fund of said county, under the order of the County Commissioners of said Eureka County, after the organization of said county, until otherwise provided by law.

Eureka County part of Sixth Judicial District. Terms of Court.

Eureka County to pay half of salary of Judge.

SEC. 8. All suits now pending in the District Court of the Sixth Judicial District, which in any way appertain to property, real, personal, or mixed, belonging to or being in the County of Eureka after its organization, and all actions for the recovery of any debt, claim, or demand whatsoever, between citizens of Eureka County, shall, (if then undetermined) at least ten days before the first day of the first term of the District Court of the Sixth Judicial District, be by the County Clerk of Lander County transferred, duly and legally certified, to the County Clerk of Eureka County, and all suits so transferred shall be by the County Clerk of said Eureka County, filed in his office, and entered in the calendar of the aforesaid first term of said District Court; *provided*, where both the plaintiff and defendant to any suit shall file a written statement with the County Clerk of Lander County, requesting that the suit to which they are parties may be determined in said Sixth Judicial District, then, and not otherwise, said suit or suits shall not be transferred as herein provided.

Transfer of actions from Lander to Eureka County.

Proviso.

SEC. 9. The County Recorder of Lander County is hereby authorized and empowered, and it shall be his duty to transcribe into suitable books, all the records in his custody pertaining or relating to or affecting the title to any property situated in said County of Eureka, and to make a suitable index thereto. Said transcript and index shall be made as soon as practicable after the passage of this Act, and when completed shall be delivered to the County Recorder of said Eureka County, and shall thereafter be kept in his office, and shall be for every purpose of the same force and effect as other county records. The Recorder of Lander County shall be entitled to receive as compensation for the services hereby imposed, one half of the fees now allowed by law for recording and indexing written instruments in his office. His claims for said compensation shall be allowed by the County Commissioners of Eureka County on the completion and delivery of said transcript and index, and be paid as other claims against said county.

Recorder of Lander County to transcribe records.

Compensation.

SEC. 10. The provisions of this Act shall take effect and be in full force from and after the twentieth (20th) day of March, A. D. eighteen hundred and seventy-three, at which time said county shall be duly organized.

Act to take effect.

CHAP. XLVII.—*An Act for the relief of John B. Helm, Sheriff of Esmeralda County.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of twenty-two hundred and fifty-one (\$2,251) dollars, less five hundred dollars paid for capture of said prisoners, is hereby appropriated out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into such General Fund, for the payment of John B. Helm, Sheriff of Esmeralda County, for expenses incurred by him in the months of September and October, eighteen hundred and seventy-one, in recapturing and returning to the State Prison of this State, John Burk and Tilton Cockerell, escaped prisoners.

Controller to draw warrant.

SEC. 2. The Controller of this State is hereby directed to draw his warrant in favor of said John B. Helm for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XLVIII.—*An Act for the relief of Francis S. Armistead.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of seven hundred and fifty (\$750) dollars is hereby appropriated, out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into said General Fund, for the payment of Francis S. Armistead, for actual expenses incurred by him for capturing Leander Morton and Moses Black, State Prison convicts, in the month of September, eighteen hundred and seventy-one.

Controller to draw warrant.

SEC. 2. The Controller of State is hereby directed to draw his warrant in favor of said Francis S. Armistead for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XLIX.—An Act for the relief of the California Institution for the Education of the Deaf and Dumb and the Blind.

[Approved March 1, 1873.]

WHEREAS, Through clerical error, the appropriation for the education of the deaf and dumb of the State for the seventh and eighth fiscal years was insufficient; and whereas, by action of the State Board of Examiners, the sum of six hundred and eighty-five dollars is found due the California Institution for the support and education of pupils from this State during the year eighteen hundred and seventy-two; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Controller is hereby directed to draw his warrant upon the General Fund, in favor of the California Institution for the Deaf and the Dumb and the Blind, for the sum of six hundred and eighty-five dollars, and the Treasurer is directed to pay the same out of any moneys in said Fund not otherwise appropriated.

Controller of State to draw warrant.
Treasurer of State to pay warrant.

CHAP. L.—An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library.

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The office of President of the Board of Directors of the State Library is hereby created.

Office of President of Board Library Directors created.

SEC. 2. The Attorney General shall be President of the Board of Directors of the State Library, and shall receive, as compensation for duties performed by him as such President, the sum of one hundred dollars per month, payable quarterly, out of any money not otherwise specifically appropriated.

Attorney General to be President of Board. Compensation.

SEC. 3. This Act shall be in force from and after its passage, and shall continue in force until the first Monday in January, A. D. eighteen hundred and seventy-five, and no longer.

Act in force, when to continue.

CHAP. LI.—*An Act to authorize the payment of the claim of Alexander Leport, for wood furnished the State, for the use of the sixth session of the Legislature of Nevada.*

[Approved March 1, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

Controller to draw warrant.

Act to take effect.

SECTION 1. The sum of fourteen hundred and fifty-two dollars is hereby appropriated, out of any moneys in the General Fund not otherwise specifically appropriated, for the purpose of paying the claim of Alexander Leport, for wood furnished for the use of the Legislature of Nevada, at its sixth session; and the Controller of State is hereby authorized and required to draw his warrant upon the Treasurer, in favor of said Alexander Leport, for said amount, and the Treasurer is hereby required to pay the same.

SEC. 2. This Act shall be in force and take effect on and after its passage.

CHAP. LII.—*An Act to provide for the payment of the claim of Calvin Swift.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

Controller to draw warrant.

SECTION 1. The sum of four hundred dollars is hereby appropriated, out of any funds in the State Treasury not otherwise specially appropriated, for the purpose of paying the claim of Calvin Swift, for three and one third months serving as employé for State Mineralogist, during the year A. D. eighteen hundred and sixty-nine, in the field.

SEC. 2. The Controller of this State is hereby directed to draw his warrant in favor of said Calvin Swift, for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. LIIII.—*An Act to create Contingent Funds for the Senate and Assembly.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Treasurer is hereby authorized and directed to set apart, from any moneys in the General Fund not otherwise appropriated, the sum of twenty-five hundred dollars, one thousand dollars of which sum shall constitute the Contingent Fund of the Senate, and fifteen hundred dollars of which sum shall constitute the Contingent Fund of the Assembly.

Contingent Fund of Senate and Contingent Fund of Assembly created.

SEC. 2. The said Funds shall be under the exclusive control of the Senate and Assembly, respectively. Each House may direct the payment of moneys from its own Contingent Fund, by resolution, and the Controller of State is authorized and required to draw his warrant in accordance therewith.

Funds controlled and disbursed, how.

Controller to draw warrant.

CHAP. LIV.—*An Act to provide for the support and maintenance of the public schools of Eureka County.*

[Approved March 3, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Treasurer of Lander County is hereby authorized and required to pay over to the Treasurer of Eureka County, for the use and benefit of the public schools of said county, such portion of the moneys now in the School Fund of said Lander County as may, by *pro rata* apportionment, belong to the several districts included within the limits of said Eureka County, said moneys to be held and disbursed in accordance with the provisions of the School Law of this State.

Treasurer Lander County to pay over to Treasurer Eureka County certain school moneys. How disbursed.

SEC. 2. The Superintendent of Public Instruction is hereby authorized and required, in making his second semi-annual apportionment for the year eighteen hundred and seventy-three, to apportion such moneys as may be demanded by the school census returns on file in his office, from Austin, Reese River Valley, and Argenta Districts, to Lander County, and such moneys as may be demanded by said returns, from Eureka and Palisade Districts, to Eureka County.

Superintendent of Public Instruction to apportion certain moneys to Lander County and Eureka County, respectively.

entitled to the amount paid; and the Controller shall thereupon file such receipts and certificate in his office as vouchers, drawing his warrant upon the proper Fund for said amount, and the Treasurer shall pay the same. The Land Register shall, at the same time, certify the non-approval in like manner to the Treasurer.

Occupant has preferred right to purchase. SEC. 12. An occupant or party in possession shall have a preferred right to purchase not exceeding three hundred and twenty acres of land, at the minimum price, for the period of six months after the date of approval to the State of the lands occupied or possessed by him or her; and when two or more persons claiming a preferred right, by reason of occupancy or possession, apply to purchase the same lands, the Register shall certify such applications to the District Court of the county in which such lands are situated, and notify the contesting applicants thereof. The Judge or Court shall then appoint a Commissioner, in the vicinity of the land so in dispute, to take and report to such Court all the testimony of the parties in the case. The contest shall then be tried and determined as ordinary actions in said Court; and when so determined, shall be certified to the Register, who shall proceed thereafter with the successful contestant, in the same manner as if he alone had applied in the premises; *provided*, that all costs attending such contest shall be paid by the parties litigant, as the Court or Judge may determine; *and, provided further*, that a preferred right shall be based upon occupancy or possession, dating prior to any application to purchase the land having been filed with the Register. When two or more persons, neither claiming a preferred right, apply to purchase the same lands, the first applicant shall be allowed to purchase.

Contest certified to District Court. Commissioner to be appointed.

Manner of trial.

Costs.

Preferred right.

Limitation of purchase SEC. 13. No person shall be allowed to purchase more than three hundred and twenty acres of land from the State, under the provisions of this Act.

Register to select lands applied for. SEC. 14. It is hereby made the duty of the Register to select as portions of the several grants of land to this State, all lands for which money has been deposited under the provisions of section seven of this Act; and whenever he shall have knowledge of any tract or tracts of land within the State, which for any cause may appear to him to be of special value, and subject to location by the State, he may select the same; and, if necessary, by and with the advice and consent of the Board of Regents, instruct the County Surveyor of the county wherein such land is situated to survey such lines and make such examination as may serve to indicate the proper location and true character and quality of such lands; and said County Surveyor shall, without delay, proceed to make such survey or examination, and shall report the same to the Register, in accordance with such instructions as he may have received; and for such services he shall receive such sum as the Board of Regents may allow; and for the faithful performance of such service said County Surveyor shall be liable upon his official bond.

Lands not applied for.

Board of Regents.

County Surveyor to make survey.

Compensation and liability of Surveyor.

Form of conveyance of State's title to lands. SEC. 15. The title of the State to any lands sold under the provisions of this Act, shall be conveyed to the purchaser, or to his or her heirs or assigns, by patents free of charge, in such form as the Attorney General and Register shall jointly pre-

scribe, to be prepared by the Register, signed by the Governor, and shall have the great seal of the State affixed by the Secretary of State, and shall be countersigned by the Register; and the Secretary of State and the State Register shall each keep a record of the patent issued.

Record of
patents.

SEC. 16. The State Register shall be entitled as such Register to a salary of two thousand six hundred dollars per annum, to be paid quarterly; and he is hereby authorized to appoint a Deputy, who shall be entitled to a salary of three thousand dollars per annum, to be paid monthly. The Controller of State shall at the end of each month draw his warrant upon the State Treasurer in favor of said Deputy for the amount of his compensation then due, and the State Treasurer shall pay the same out of any money derived from the sale of land.

Salaries
of State
Register
and deputy

Controller
to draw
warrant
in favor of
deputy.

SEC. 17. All funds derived from the sale of lands under this Act shall be invested in interest-bearing bonds of the State, or of the United States, as required by section three of the eleventh article of the Constitution of this State. The proceeds of the sale of lands donated to this State by Act of Congress of July second, eighteen hundred and sixty-two, shall be invested by the Board of Regents; and the proceeds of all other lands herein referred to, whenever the sum of five hundred dollars shall have been paid into the State School Fund, shall be invested as directed by law.

Investment
of funds
derived
from sales
of lands.

SEC. 18. All claims and accounts for services, or for expenses authorized by, and necessarily incurred in carrying out any of the provisions of this Act, except the salaries of the Register and his Deputy, shall be presented to, and audited as other claims by the State Board of Examiners; and when any claim shall be passed and allowed by said Board, they shall apportion the same so payable or chargeable, to the several funds derived from the sale of lands as they shall deem proper, and so much of the funds received from the sale of lands in the several grants as may be necessary for the payment of such audited claims, shall be, and the same is hereby, appropriated out of the several funds respectively, for the payment of such claims, and the Controller shall draw his warrant accordingly. The Board of Examiners are hereby authorized and directed to allow and direct to be paid such sums to the Receivers of the United States Land Offices, for any official services performed by them in relation to the designation of the selected lands upon the books of their respective offices, as they may be justly entitled to receive under the laws of the United States, or the instructions of the proper department at Washington City.

Board of
Examiners
to audit
claims, etc.

Compensation of
United
States land
officers.

SEC. 19. An Act entitled "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," approved April second, eighteen hundred and sixty-seven; and, also, an Act entitled "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," approved March fourth, eighteen hundred and seventy-one; and all other Acts, and parts of Acts, so far only as in conflict with the provisions of this Act, are hereby repealed; *provided*, that such repeal shall not divest any parties of any rights heretofore acquired under any of said Acts referred to.

Acts
repealed.

Proviso.
Vested
rights
saved.

CHAP. LXV.—*An Act concerning juries.*

[Approved March 5, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Qualified jurors.

SECTION 1. Every qualified elector of the State, whether registered or not, who has not been convicted of treason, felony, or other infamous crime, and who is not rendered incapable by reason of physical or mental infirmity, is a qualified juror of the county in which he resides, or of the county to which it is attached for judicial purposes.

Manner of selecting juries.

SEC. 2. The District Judge of the district, and the County Clerk of each county of the State in which a District Court may sit, shall, as soon as practicable after the passage of this Act, enter in a book, to be provided and kept for that purpose, and known as the Jury List, the name of every qualified juror of the county, so far as the same can be ascertained by them. Such names shall be alphabetically arranged; and opposite the name of each person shall be noted, under appropriate headings, his residence and occupation, when known; and when any juror procures his exemption from services as hereinafter provided, that fact, and the date thereof, shall also be noted opposite his name. At such ensuing term of the Court, it shall be the duty of the Judge thereof to cause said jury list to be amended and corrected, by adding thereto the names of all qualified jurors not already included therein, and by striking therefrom the names of all such as have died, or for any reason ceased to be qualified jurors of the county. For the purpose of enabling such amendment and correction to be made, any person, whose name is already included in said list, may present to the Court the names of other qualified jurors of the county, who are not included therein; and it shall be the duty of the Judge to order such names to be added to the list, if it satisfactorily appear that they are qualified jurors of the county. Said jury list shall be kept in the office of the County Clerk, and shall be at all proper times subject to the inspection of any citizen of the county.

Jury list, how prepared.

Jury list to be amended and corrected, when.

Jury list, where kept.

Jury box.

SEC. 3. The names which are entered upon the "Jury List" shall, at the same time, be written on separate slips of paper, and deposited in a box, to be provided and kept for that purpose, and known as the jury box. Said box, when not in use as herein provided, shall be kept securely locked by the County Clerk.

Trial jurors, how drawn and summoned.

If before or after commencement of term.

SEC. 4. To constitute the regular panel of trial jurors for any term of the District Court, a list of not exceeding fifty names shall be drawn from the jury box, either before or after the commencement of the term. If the panel be drawn before the commencement of the term the drawing shall take place in the office of the County Clerk, during regular office hours; if after the commencement of the term, in open Court; and in either case in the presence of all persons who may choose to witness it. The drawing shall be conducted as follows: The

number to be drawn having been previously determined by the Judge, the box containing the names of the jurors shall first be thoroughly shaken; it shall then be opened, and the Judge and Clerk shall, alternately, draw therefrom one ballot, until of non-exempt jurors the number determined upon is obtained. Drawing, how. A list of the names so obtained shall be made out and certified by the Judge and Clerk, which shall remain in the Clerk's office, subject to inspection by any officer or attorney of the Court; and the Clerk shall immediately issue a venire, directed to the Sheriff of the county, commanding him to summon the persons so drawn as trial jurors, to attend in Court at such time as the Judge may have directed; and the Sheriff shall summon such jurors, and make return of the venire, at least two days before the day named for their appearance; after which the venire shall be subject to inspection by any officer or attorney of the Court. Venire. Venire, when returned.

SEC. 5. When, at any time during a term of the District Court, it shall become necessary to summon additional trial jurors, the Judge and Clerk shall, in open Court, in the manner hereinbefore prescribed, draw from the jury box such number of names as may be requisite; *provided*, that in case any juror so drawn reside at too great a distance from the Court to be conveniently summoned within the time ordered for the return of the venire, his name may be returned to the box and another drawn in its place; *and, provided further*, that in all drawing of jurors under this Act, the names of persons known to be exempt from jury service may be thrown out and disregarded. Additional trial jurors, how drawn. Proviso. Proviso. The Clerk shall issue a venire, directed to the Sheriff, to summon such additional jurors, to attend at such time as the Court may have directed, and the Sheriff shall summon the same, and return his venire with all possible diligence. Venire for additional jurors.

SEC. 6. When a name has been drawn from the jury box it shall not be returned thereto until the box has been exhausted; except that when a juror drawn is not summoned, or fails to appear, or after appearing is excused by the Judge from serving, his name shall be returned to the box to be drawn again. Names in jury box to be exhausted.

SEC. 7. When all the names in the jury box have been exhausted, it shall be the duty of the Judge and Clerk to replace therein separate slips of paper, containing the names of all persons included in the corrected jury list, and thereafter trial jurors shall be drawn therefrom as before. When jury box exhausted, etc.

SEC. 8. It shall be the duty of the District Judge and any one of the County Commissioners of the county, at least once in each year, and as much oftener as the public interests may require, to select from the jury list twenty-four persons who shall be summoned to serve as Grand Jurors, at such time as the Judge may order; out of the number so summoned the Court shall select seventeen persons to constitute a Grand Jury. If from any cause a sufficient number do not appear, or those who appear are excused or discharged, an additional number, sufficient to complete the Grand Jury, shall be selected from the jury list by the Judge and Clerk, and summoned to appear in Court at such time as the Court may direct. Grand jurors, how selected.

SEC. 9. The following named persons, and no others, may be exempted from serving as Grand or trial jurors: Any Judge, Exemptions from jury service

Justice of the Peace, County Clerk, Sheriff, Assessor, Constable, practicing attorney, or physician, and one half of all members of each regularly enrolled fire company in this State, and all officers of such fire companies, not exceeding ten in number for each company. The Judges of the several District Courts may, by an order entered upon the minutes of their Courts, prescribe bounds in their several counties, and all persons residing without such bounds may be exempted from serving on juries in the manner hereinafter prescribed. Any person residing without such bounds may present his affidavit, showing his exemption to the Court or Judge, and if the Judge shall be satisfied therefrom that he is one of the persons entitled to be exempted under the provisions of this Act, he shall indorse thereon an order to the Clerk to make an entry on the jury list opposite the name of the applicant, showing that he is exempted from jury service till the first Monday of January next ensuing. Upon presentation of this order to the Clerk, and upon payment to him of the sum of twenty-five dollars, in gold coin, it shall be the duty of the Clerk to grant him a certificate showing the payment of said sum, and specifying that he is exempted from jury service until the first Monday of January next ensuing. The Clerk shall also file the affidavit and order, and make the proper entry on the jury list. The moneys coming into the hands of the Clerk under the operation of this law shall constitute a Jury Fund, for the safe keeping and due application of which the Clerk and his bondsmen shall be responsible on his official bond. It shall be applied, first, to the payment to the Clerk of fifty cents for each juror exempted, for his services in filing the affidavit and order and issuing the certificate herein provided for, and two per cent. of the whole sum collected for all other services rendered in pursuance of this Act. The balance of the Fund shall be applied to the payment of the compensation of the jurors who serve on trial juries. It shall be the duty of the Clerk to keep an accurate account of all moneys received and disbursed under the provisions of this section, and to submit the same to the inspection of the Court whenever it is so ordered; and it shall be the duty of the Judge to inspect and verify said account at the close of each term of the Court. It shall also be the duty of the Clerk to keep an accurate account of the attendance of each juror during the term of the Court, and at the close of the term to ascertain the amount due each juror for mileage and attendance, after deducting the amount received by him as fees in civil cases. If there is money enough in the Jury Fund to pay the jurors in full, they shall be paid therefrom. If the amount in the Jury Fund is insufficient to pay the jurors in full, it shall be divided among them in proportion to the amounts due them, respectively, and the balance shall be paid out of the General Fund of the County Treasury, after the satisfaction of any demands against said Fund previously allowed.

SEC. 10. At any time during the term the Court may, in its discretion, excuse temporarily, or for the term, any juror on account of sickness or physical disability, or serious illness or death of a member of his immediate family.

Bounds may be established, within which jurors shall be exempted.

Payment to be made to Clerk.

Jury Fund.

Jury Fund, how applied.

Account to be kept.

Account of attendance of jurors to be kept.

Jurors, how paid.

Court may excuse jurors.

SEC. 11. Any person summoned as provided in this Act to serve as a juror, who shall fail to attend and serve as such juror, shall, unless excused by the Court, be fined in any sum not exceeding five hundred dollars, in the discretion of the Court, and be imprisoned in the County Jail until such fine be paid, at the rate of two dollars per day. Punishment for failure to attend and serve.

SEC. 12. Each juror summoned in pursuance of this statute, unless he be excused by the Court from serving on the day he is summoned to attend, shall receive three dollars per day for each and every day he may be in attendance on Court, and fifteen cents per mile in traveling to and returning from Court, to be paid as hereinbefore provided. Pay of jurors.

SEC. 13. An Act entitled "An Act concerning juries," approved March third, eighteen hundred and sixty-six, and all Acts repealed by that Act, and all Acts amendatory of or supplemental thereto, are hereby repealed; also, an Act entitled "An Act concerning compensation of jurors," approved March fifth, eighteen hundred and sixty-nine, and all Acts amendatory of or supplemental thereto, are hereby repealed. Acts repealed.

CHAP. LXVI.—*An Act for the relief of T. W. Triplett, late Assessor of Lander County.*

[Approved March 5, 1873.]

WHEREAS, In the year eighteen hundred and seventy, T. W. Triplett, then Assessor of Lander County, settled in full for all poll tax receipts received from the State Controller for his county for that year, paying for all poll tax receipts so received, except such as were returned to the State Controller to balance, and in settlement of his account for poll tax receipts for that year; and, whereas, during the year eighteen hundred and seventy-two, he found eighty-five poll tax receipts received and receipted for by him, as Assessor, in eighteen hundred and seventy, and not returned, for the reason that at the time of settlement they were mislaid, and that he had, at the time of making settlement for poll tax receipts for the year eighteen hundred and seventy, fully settled and paid for; now, therefore, Preamble.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and fifty-three dollars is hereby appropriated, out of any money in the State Treasury not otherwise appropriated, to pay the proportion received by the State for said poll tax receipts; and the State Controller is hereby directed and required to draw his warrant for said sum of one hundred and fifty-three dollars, in favor of T. W. Triplett. Appropriation.
Controller to draw warrant.

Board of
County
Commissioners of
Lander
County
to allow
claim.
County
Auditor
to draw
warrant.

SEC. 2. The Board of County Commissioners of Lander County are hereby directed and required to allow the claim of T. W. Triplett, in the sum of one hundred and fifty-three dollars, the proportion received by the county for said poll tax receipts; and the Auditor of said county, on the allowance of said claim, is hereby directed to draw his warrant against the General Fund of said county for said amount.

CHAP. LXVII.—*An Act for the relief of E. Perasich.*

[Approved March 5, 1873.]

Preamble. WHEREAS, on the seventeenth day of September, A. D. eighteen hundred and seventy-one, E. Perasich was shot and severely wounded, while engaged in the defense of the Prison of the State of Nevada, and by reason of said wound has incurred great expense for medical aid and attendance, and is now unable to labor for his own support; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of one thousand five hundred dollars, gold coin of the United States, is hereby appropriated out of any moneys in the General Fund of the State Treasury not otherwise specifically appropriated, for the benefit of, and to be paid to, the said E. Perasich.

State
Controller
to draw
warrant.

SEC. 2. It shall be the duty of the State Controller to draw his warrant in favor of E. Perasich, on the State Treasurer, for the said sum of one thousand five hundred dollars, United States gold coin, and the State Treasurer shall pay the same in the order of registry out of the General Fund of the State Treasury.

CHAP. LXVIII.—*An Act entitled an Act in relation to public highways.*

[Approved March 5, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

County
Commissioners
to establish
road
districts.

SECTION 1. Whenever a majority of the taxpayers of any township in any county in the State, whose names shall appear on the last assessment roll, shall petition the Board of County Commissioners of such county to divide said township into a road district or road districts, it shall be the duty of said County Commissioners to so divide such townships and to

create such road district or districts, and to appoint a Road Supervisor for each district; when such road district or districts shall once be created, they shall remain the same and have the rights, and be subject to the duties herein given and imposed, until a majority of the taxpayers of such district shall petition the Board of County Commissioners of the county to disorganize the same; when it shall be the duty of such Board to disorganize said district.

Road Supervisor.

Road districts, when abolished.

SEC. 2. The County Clerk of the county in which such district may be created shall immediately notify all persons appointed Road Supervisors, who shall qualify within thirty days after their appointment, as provided in the next section.

County Clerk to notify Supervisors of appointment.

SEC. 3. Any person appointed Road Supervisor, shall, before entering upon the discharge of his official duties, take and subscribe to the official oath of this State; and shall execute and deliver a good and sufficient bond with sureties, to be approved by the Board of County Commissioners of his county, in a penal sum to be fixed by such Board, not less than five hundred dollars, conditioned for the faithful performance of the duties of Road Supervisor of District No. —, County —, Nevada, in pursuance of the provisions of this Act, which said oath shall be filed, and said bond filed and recorded, in the office of the County Clerk of said county. Said bond shall be given to the State of Nevada; and actions for the benefit of any party aggrieved may be brought thereon, in any Court of competent jurisdiction, in the same manner and with the same effect as upon other official bonds.

Road Supervisors to take oath and give bond.

Action on bond.

SEC. 4. It shall be the duty of each Road Supervisor, faithfully to collect the tax herein imposed and required to be paid, and judiciously and economically to expend the same, or such part thereof as in his judgment may be required, upon the public highways of his district; to superintend all labor upon such highways, and to see that the same is faithfully performed. Such labor may be performed at such times as, in the judgment of the Supervisor, it will be most beneficial. The Supervisor of each district shall, on the first Monday in January, and the first Monday in July, in each year, file with the County Clerk of his county, a list of the names of all persons in his district who have been residents of such district thirty days, and, at the same time and place, shall file a full and concise statement of all labor performed, including his own; moneys received and paid out; and any surplus of money remaining, after payment of all road dues, not including his own wages, he shall pay over to the County Treasurer of his county, and take a receipt therefor. The County Treasurer shall place the same to the credit of the Road Fund, to be used for the benefit of said road district, which said Road Fund the several Boards of County Commissioners of this State are hereby authorized and directed to create and maintain; *provided*, such Fund need not be created or maintained in any county which has not, or shall not have, any road district.

Duties of Road Supervisor. Collect tax.

Superintend labor.

Supervisor to file list and statement.

Pay over moneys.

Road Fund

Proviso.

SEC. 5. All moneys remaining in said Road Fund at the end of each year, after payment of all road dues, including the wages of the Road Supervisors, shall be transferred, by the Board of County Commissioners, from the Road Fund to the

Transfer from Road Fund to School Fund.

School Fund, or funds of the township comprising such road district.

Term of office of Road Supervisor. SEC. 6. Each Road Supervisor may hold his office during the pleasure of the Board of County Commissioners; *provided*, the tenure of his office shall not exceed four years.

Compensation of Road Supervisor. SEC. 7. The compensation of a Road Supervisor shall be fixed by the Board of County Commissioners, payable out of the Road Fund, if sufficient therein. Such compensation shall not exceed five dollars per day for each day's work actually performed by him as Supervisor while actually engaged in work, or superintending work, upon the road, and fifteen per cent. for collecting road tax, on all moneys collected; *provided*, that the Supervisor shall receive no compensation for such collection or notifying men to work on the road other than the said fifteen per cent.

Proviso. SEC. 8. The moneys paid to the County Treasurer by each Supervisor shall first be used in payment of the bills allowed in favor of such Supervisor for his labor. Any surplus may be used in payment of other demands allowed on said Road Fund by the Board of County Commissioners. But in no case shall any road dues, or the wages or other expenses of the Supervisor, be a charge against, or be paid, except out of the Road Fund, as herein provided.

Moneys paid County Treasurer by Supervisors, how appropriated. SEC. 9. Each able-bodied male resident of any road district of this State, over twenty-one and under sixty years of age (uncivilized American Indians excepted), and not exempt by law, shall pay an annual road tax, for the use and benefit of said road district, of four dollars, to be collected by the Road Supervisor, and the Auditor of the county shall furnish blank receipts for the same, and charge the Supervisor therewith; *provided*, if any person liable to pay road tax, as herein provided, will perform, or cause to be performed, two days work under the supervision and direction of said Supervisor, such labor shall be received in full satisfaction of said four dollars. For the purposes of this Act, any person shall be deemed a resident of a road district who shall have resided, or who shall have been employed therein upon any public or private works, for a period exceeding thirty days.

Road tax. SEC. 10. To enforce the collection of road taxes as provided in this Act, the Supervisor may seize so much of any and every species of personal property whatsoever, owned by said person (liable and refusing or neglecting to pay his road tax when called upon so to do by the Supervisor), or property in the possession of, or due from, any other person, company, or corporation, and belonging to such person so refusing or neglecting to pay such road tax, as will be sufficient to pay the same and costs of seizure and sale, which costs shall not exceed three dollars in each case, and shall sell the same at any time or place, giving verbal notice of one hour previous to such sale. And any person, corporation, or company, indebted to another, liable to pay a road tax, but who shall neglect or refuse to pay the same, shall be liable to pay said tax for such other person after service upon him or it by the Supervisor of a notice in writing, stating the name or names of the person or persons so liable and owing a road tax; and such debtor may, on paying the same, deduct

Enforcement of collection of road tax.

Seizure of property.

Liability of debtor of person delinquent for road tax, upon notice from Supervisor.

the amount thereof from any sum or sums due, or that may afterward become due, to such person owing said tax. And if any person, corporation, or company, being sufficiently indebted to any person or persons refusing or neglecting to pay a road tax, shall refuse to pay the same after having been duly notified so to do, it shall be the duty of the Supervisor to seize and sell sufficient personal property of such person, corporation, or company to satisfy said road tax and costs of seizure and sale, in the manner above stated.

SEC. 11. Any Supervisor who shall receive any money for road tax without issuing a receipt therefor, or shall issue any receipt but a printed one received from the Auditor, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined in any sum not exceeding five hundred dollars, before any Court of competent jurisdiction. Penalty for collecting tax without issuing receipt, etc.

SEC. 12. An Act of the Legislature of this State, entitled "An Act in relation to public highways," approved March second, eighteen hundred and sixty-seven, and all Acts, or parts of Acts, in conflict with this, are hereby repealed. Acts repealed.

CHAP. LXIX.—*An Act entitled an Act for the payment of the salaries of District Attorneys of the several counties of this State.*

[Approved March 5, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The salaries of the District Attorneys of this State, shall be audited by the Board of County Commissioners, and paid at the end of each quarter, out of any money in the General Fund of the county; *provided*, that whenever at the end of any quarter, there shall not be sufficient money in said Fund to pay said salary, the County Treasurer shall set apart from any money in the General Fund, or from the first money that shall come into the said General County Fund not otherwise specially appropriated, an amount sufficient to pay said salary. Salaries of District Attorneys, how paid. Money set apart.

SEC. 2. All Acts, or parts of Acts, in conflict with this Act, are hereby repealed. Acts repealed.

CHAP. LXX.—An Act to supply the Town of Elko, in Elko County, Nevada, with water for extinguishment of fire and other purposes, and to define the boundaries of said town.

[Approved March 5, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Franchise. SECTION 1. That the Elko Water Company, and its successors and assigns, are hereby granted the right to take and convey water not exceeding twenty thousand inches, to the Town of Elko, from any point on the Humboldt River; and its successors and assigns are hereby authorized and empowered to build and erect all necessary dams, aqueducts, bridges, and flumes; also, to dig or excavate all necessary ditches and erect reservoirs; to lay down water pipes, and erect tanks in any of the public streets or alleys of said Town of Elko; *provided*, that the erection of said bridges, aqueducts, reservoirs, and tanks, also, the excavating of ditches, the building of flumes, and the laying down of pipes, shall not obstruct any of the public thoroughfares of said Town of Elko.

Public thoroughfares not to be obstructed.

Boundaries of Elko established.

SEC. 2. The boundaries of said Town of Elko, for the purposes of this Act, are hereby declared to be as follows, to wit: Commencing at the south end of the freight depot belonging to the Central Pacific Railroad Company, running thence one mile east, one mile west, one mile north, one mile south, making a total area thereof of two square miles, being one mile each way, as above described from said initial point.

Survey to be made.

SEC. 3. It shall be the duty of said Elko Water Company, and its successors, to commence the survey of the above described waterworks, within sixty days from and after the approval of this Act; and within thirty days from said commencement, they shall cause to be filed with the County Clerk of Elko County, a plat or diagram of said survey, with a written description of the line of survey; and they shall also commence the construction of said waterworks within three months from the filing of said plat or diagram, and the description thereof.

Plat to be filed.

Construction commenced.

Elko right to purchase works.

SEC. 4. The Town of Elko shall have the right at any time after the expiration of five years from the completion of said waterworks, to purchase the same.

Not to interfere with prior appropriation.

SEC. 5. Nothing in this Act, shall be so construed, as to interfere with any appropriations of water made prior to the passage of this Act.

CHAP. LXXI.—*An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years.*

[Approved March 6, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums of money are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, and for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years: Appropriations.

For salary of Governor, twelve thousand dollars.

For salary of Private Secretary of the Governor, four thousand eight hundred dollars.

For payment of rewards offered by the Governor, five thousand dollars.

For pay of Bailiff of the Supreme Court, one thousand two hundred dollars.

For salary of the Attorney General, five thousand dollars.

For services of Attorney General as President of the Board of Directors of State Library, two thousand dollars.

For salary of Secretary of State, seven thousand two hundred dollars.

For salary of Deputy Secretary of State, six thousand dollars.

For extra clerical services in office of Secretary of State, twelve hundred dollars.

For copying and indexing Journals of the sixth session of the Legislature, seven hundred and ninety dollars.

For copying and indexing Laws, by Secretary of State, seven hundred and fifty dollars.

For contingent expenses of Board of Examiners, twelve hundred dollars.

For pay of two Porters and one Night Watchman of State Capitol, to be expended under direction of Secretary of State, seven thousand dollars.

For stationery, fuel, lights, etc., for State officers and State Capitol building, six thousand dollars.

For insurance of State Library and State Capitol building, three thousand dollars.

For care and preservation of State Capitol building, and for the purchase of such furniture, fixtures, etc., as may be necessary in the several State offices, and keeping the same in repair, three thousand dollars.

For furnishing fuel, lights, preparing legislative halls, and preparing furniture for the seventh session of the State Legislature, two thousand dollars.

For draining the basement of the State Capitol, to be expended under the direction and supervision of the Board of State Prison Commissioners, twelve hundred dollars.

LAWS OF NEVADA,

For salary of Clerk in Adjutant General's office and State Library, three thousand six hundred dollars.

For storage, care, and transportation of State arms, one thousand dollars.

For salary of State Controller, seven thousand two hundred dollars.

For salary of Deputy State Controller, six thousand dollars.

For extra clerical services in office of State Controller, two thousand dollars; and the Controller is hereby authorized to employ such clerical services as he may need, not exceeding the amount of this appropriation.

For prosecuting delinquents for infraction of revenue laws, and enforcing the collection of revenue, to be expended under the direction of the Controller, two thousand dollars.

For salary of State Treasurer, seven thousand two hundred dollars.

For salary of Deputy State Treasurer, six thousand dollars.

For extra clerical services in office of State Treasurer, two thousand dollars; and the Treasurer is hereby authorized to employ such clerical services as he may need, not exceeding the amount of this appropriation.

For salary of Superintendent of Public Instruction, four thousand dollars.

For traveling expenses of Superintendent of Public Instruction, within the State, twelve hundred dollars.

For the support and education of the deaf and dumb and the blind, and their transmission to and from the Institution, three thousand dollars.

For salary of the State Mineralogist, seven thousand two hundred dollars.

For outfit of State Mineralogist, five hundred dollars.

For traveling expenses of State Mineralogist, three thousand dollars.

For improvement in office, and purchase of cases for display of specimens in State Museum, twelve hundred dollars.

For salary of Surveyor General, two thousand dollars.

For salary of Register of State Land Office, five thousand two hundred dollars.

For salary of Deputy Register of State Land Office, Draughtsman, clerical services, expense of selecting land, purchase of maps and charts, fifteen thousand dollars.

For care and support of indigent insane of the State, to be expended under the direction of the Board of Directors, forty-five thousand dollars.

For the support of and conducting the Orphans' Home, to be expended under the direction of the Board of Directors, twenty-five thousand dollars.

For the support of and conducting the State Prison, and the payment of rewards for the capture of escapes therefrom, to be expended under the direction of the Board of State Prison Commissioners, ninety thousand dollars.

For salary of Warden of the State Prison, six thousand dollars.

For salary of Deputy Warden of State Prison, three thousand dollars.

For services for Chaplain at State Prison, to be expended under the direction of Board of State Prison Commissioners, five hundred dollars. Appropriations.

For the procurement of a suitable library for the State Prison, for the use of the convicts therein, one thousand dollars.

For State printing, paper, and official advertisements, and pay of Expert, to be expended under the direction of the State Controller, Secretary of State, and a Printing Expert, or a majority of them, thirty thousand dollars.

For a current expense appropriation, to defray the telegraphic, expressage, postage, and contingent expenses of the several State officers, Supreme Court, and State Library, ten thousand dollars.

SEC. 2. The various State officers, to whom appropriations other than salaries are made under the provisions of this Act, shall, with their biennial reports, submit a detailed and itemized statement, under oath, of the manner in which all expenditures for their respective departments, other than the payment of salaries, have been expended; *provided*, that no officer shall use or appropriate any money for any purpose whatever, unless authorized to do so specifically by law. Sworn statement to be made of disbursement of appropriations. Proviso.

SEC. 3. Nothing herein contained shall be so construed as to apply to any appropriation that may have been, or that may hereafter be, made specifically by law. Not to apply to specific appropriations.

CHAP. LXXII.—An Act to create Contingent Funds for the Assembly and Senate.

[Approved March 6, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Treasurer is hereby authorized and directed to set apart from any moneys in the General Fund, not otherwise appropriated, the sum of twenty-one hundred dollars, six hundred of which shall constitute a Contingent Fund for the Assembly, and fifteen hundred shall constitute a Contingent Fund for the Senate. Appropriation. Contingent Funds of Senate and Assembly created.

SEC. 2. The said Funds shall be under the exclusive control of the Senate and Assembly; and the Senate and Assembly may direct the payment of money from said Fund, by resolution, and the Controller of State is authorized and required to draw his warrants in accordance therewith. Control of the Funds. Controller to draw warrant upon resolution.

CHAP. LXXIII.—*An Act to incorporate a State Agricultural Society, and provide for the management thereof.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Nevada
State Agri-
cultural
Society in-
corporated.

Corporate
powers.

Further
corporate
powers.

Officers of
society.

Board of
Managers,
how elected

Vacancies
in Board of
Managers,
how filled.

Member-
ship of
society.

SECTION 1. There is hereby established and incorporated a society to be known and designated by the name and style of the "Nevada State Agricultural Society," and by that name and style shall have perpetual succession, and shall have power to contract and be contracted with, to sue and be sued, and shall have authority to have and use a common seal, to make, ordain and establish, and put in execution, such by-laws, ordinances, rules, and regulations as shall be necessary for the good government of said society, and the prudent and efficient management of its affairs; *provided*, that said by-laws, ordinances, rules, and regulations shall not be contrary to any provision of this charter, or the laws and Constitution of this State or the United States.

SEC. 2. In addition to the powers above enumerated, the society shall, by its name, have power to purchase, hold, and lease any quantity of land, not exceeding in the aggregate six hundred and forty acres, with such buildings and improvements as may be erected thereon, and may sell, lease, and dispose of the same at pleasure. The said real estate shall be held by such society for the purpose of erecting buildings and other improvements designed for the meeting of said society, and calculated to promote and encourage the interest of agriculture, horticulture, mechanics, manufactures, stock raising, and general domestic industry.

SEC. 3. The officers of such society shall consist of a President, three Vice Presidents, five Directors, a Secretary, and a Treasurer, all of whom shall be members of such society, and shall have the management of the fiscal, prudential, and other concerns of such society, and shall be styled the Board of Managers. The said officers, with the exception of two of said Directors, who shall be annually appointed by the Governor of this State, shall be elected annually by the members of the society, at such time and in such manner as in the by-laws of said society may be prescribed, and shall hold their offices for the term of one year, and until their successors enter upon their duties. And said Board of Managers shall have power to fill vacancies in said Board that may happen during their continuance in office, except a vacancy caused by the death, resignation, or removal from the State of either of the said Directors appointed by the Governor, in which event such vacancy shall be filled by appointment of such Governor.

SEC. 4. Such society may provide by its by-laws for membership of such society, and fix the prices of such membership and the terms of duration thereof; and the members of such society shall determine by vote the place where the annual meeting and exhibition of such society shall be held, which vote shall be

taken annually, and the members shall vote either in person or by proxy.

SEC. 5. Such society, by the unanimous vote of the Board of Managers, for the purpose of purchasing or leasing property, as provided for by section two of this Act, or for the purpose of paying for property, may create debts or liabilities not exceeding twenty-five thousand dollars, which they may secure by mortgage upon the property of said society. Debt of society.

SEC. 6. For the purpose of carrying into effect this Act, Isaac L. Requa, of Storey County, is hereby appointed President of said society; W. W. McCoy, of Lander County, P. H. Clayton, of Douglas County, R. N. Graves, of Storey County, Vice Presidents; C. W. Pegg, of Washoe, J. Winnie, of Ormsby, William Kennedy, of Elko County, Directors; T. D. Parkinson, of Storey County, Secretary; H. W. Putnam, of Storey County, Treasurer; and the Governor of this State shall appoint two other persons to act as Directors. And said Governor is hereby authorized to fill any vacancies occasioned by the failure or inability of any of the above-mentioned persons to serve; and the aforesaid persons shall constitute the first Board of Managers of said society, and shall hold their offices until the first annual election thereof. Present officers of society. Governor to appoint two Directors.

SEC. 7. The first annual meeting of the society shall be held at the City of Virginia, in the County of Storey, on the first Monday of July, A. D. eighteen hundred and seventy-three. First annual meeting.

CHAP. LXXIV.—*An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill School Districts and to provide for the payment of the same.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Storey County are hereby authorized and directed, within sixty days after the passage of this Act, to prepare and issue the bonds of said county, to the amount of thirty thousand dollars, in the form hereinafter specified, and to dispose of the same and use the proceeds arising therefrom in the manner hereinafter provided. Bonds authorized. Amount.

SEC. 2. The said bonds shall be of such amounts as shall be deemed most salable and convenient, but no bonds shall be for a less amount than fifty dollars, and none for a greater amount than five hundred dollars; said bonds shall be printed with interest coupons attached thereto; shall express on the face of both bonds and coupons that they are payable in United States gold coin; shall bear interest at the rate of seven per cent. per annum, payable semi-annually. The bonds shall be payable to bearer at the office of the County Treasurer of said county, in Form and provisions of bonds.

Bonds and coupons, how signed. twenty years from their date. The bonds shall be prepared in proper form under the direction of the Board, and shall be signed by the President of the Board and countersigned by its Clerk, who shall attach thereto the county seal. The coupons for semi-annual interest shall be signed by the President of the Board.

Sale of bonds. SEC. 3. The Board of County Commissioners of said county, after said bonds shall have been so prepared and signed, shall appoint some competent and disinterested person to dispose of said bonds, and said bonds shall be delivered to the person so appointed, and he shall be thereupon authorized and directed to dispose of them, or any part thereof; but the rates at which said bonds shall be disposed of shall be fixed by the Board of County Commissioners, and may be changed from time to time as they may order.

Funds derived from sale of bonds, how applied. SEC. 4. All funds derived from the sale of said bonds or any of them shall be paid into the County Treasury of Storey County, for the use and benefit of the Virginia and Gold Hill School Districts in said county; the amount derived from the sale of twenty thousand dollars of bonds as provided in section one of this Act to be for the benefit of the Virginia School District, and the amount derived from the sale of ten thousand dollars of bonds as provided in said section to be for the benefit of the Gold Hill District; and said funds shall not be liable to use or appropriation for any other purpose; and said funds shall be paid out by the Treasurer of said county in the same manner as is now provided by law for the payment of money from funds in said Treasury appropriated to the use of said districts.

Funds divided between Virginia and Gold Hill School Districts. SEC. 5. From the moneys received by the County Treasurer of said county for the use and benefit of the said Virginia and Gold Hill School Districts, there shall be annually set apart the sum of two thousand dollars, which sum shall be placed by said Treasurer in a separate Fund, to be called the "School Bond Interest and Sinking Fund," and shall be applied:

School Bond Interest and Sinking Fund created. *First*—To the payment of the semi-annual interest upon said bonds as above directed.

Second—To the redemption of said bonds as hereinafter provided.

How Fund applied. SEC. 6. Whenever all interest due upon said bonds shall have been fully paid, and there shall be in said Fund a surplus, which upon a fair estimate of the receipts which will probably come into the same will not be needed for the payment of future interest to accrue within the next succeeding twelve months, the Board of School Trustees for said Virginia and Gold Hill School Districts, after having ascertained the amount of surplus, shall insert an advertisement in at least one newspaper published in said county, for a period of not less than two weeks, stating the amount of money on hand to be applied in the purchase of said bonds, and inviting sealed proposals to surrender the same, to be made and filed with the Clerk of said Board on or before a day certain therein named. At the next meeting of the Board after said day, the Board shall open such sealed proposals as shall have been filed on or before the day fixed in the advertisement, and to the extent of the amount named shall purchase the bonds so offered, giving the prefer-

Surplus to be applied to redemption of bonds.

Sealed proposals to be invited.

ence in all cases to the bidder who shall offer to surrender *Proviso.* said bonds at the lowest price; *provided*, that no offer shall be accepted for more than the par value of said bonds.

CHAP. LXXV.—*An Act for the more effectual prevention of cruelty to animals.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any three or more citizens of the State of Ne- *Benefits*
vada, who shall incorporate as a body corporate under the gen- *of Act*
eral laws for incorporations in this State, for the purpose of *conferred.*
preventing cruelty to animals, may avail themselves of the *Proviso.*
privileges and benefits of this Act; *provided*, that the corporate *Proviso.*
body first forming as aforesaid in any county shall be the only
one so entitled to the benefits and privileges of this Act in said
county.

SEC. 2. The said societies may make and adopt by-laws gov- *By-laws of*
erning the admission of associates and members, providing for *society.*
all meetings, and assistant and district or local officers; provid-
ing also for means and systems for the effectual attainments of
the objects contemplated by this Act, for the regulation and
management of its business affairs, and for the effectual work-
ing of the societies; prescribing, also, the duties of all their offi-
cers, for the outlay of all moneys, and the auditing of all
accounts; *provided*, that such by-laws shall not in anywise con- *Proviso.*
flict with the laws of the State of Nevada or of the United
States, or any provisions of this Act.

SEC. 3. Said societies shall elect officers and fill vacancies *Officers of*
according to the provisions of their by-laws. They shall make *society.*
such reports of elections as is by law required of all corpora-
tions, and shall, in addition, report to the Legislature of the *Reports.*
State of Nevada, at each of its regular sessions, a full account
of all their acts.

SEC. 4. All Sheriffs, Constables, police, and peace officers are *Duties of*
empowered to make arrests for the violation of any of the pro- *peace*
visions of this Act, and are hereby also empowered to make *officers.*
arrest without warrant, for the violation of any provision of
this Act which by this Act is denominated a misdemeanor, when
said misdemeanor is committed in the presence of said officers.

SEC. 5. All members and agents, and all local and district *Arrests by*
officers of each or any of the societies so incorporating, as shall *members of*
by the Trustees of said societies be duly authorized in writing, *society and*
approved by the County Judge of the county, and sworn in the *others.*
same manner as are Constables and peace officers, may make
arrests for the violation of the provisions of this Act in the
same manner as is provided herein for other officers; *provided*, *Society*
that all such members shall, when making such arrests, exhibit *badge.*

Punish-
ment for
resistance.

and expose a suitable badge, to be adopted by said society. All persons resisting said specially appointed officers, as such, shall be punished for said resistance in the same manner as is provided for the punishment of resistance to other officers.

Act inhib-
ited made
misdeme-
anor.

SEC. 6. Every person who shall overdrive, overload, torture, torment, or deprive of sufficient and necessary sustenance, or unmercifully or cruelly beat or mutilate any living creature, shall, on conviction, be deemed guilty of a misdemeanor. Every person who shall, by his act or neglect, maliciously maim, wound, injure, torture, or cruelly beat any animal belonging to himself or to another, shall, on conviction, be deemed guilty of a misdemeanor. Any person who shall cause any animals, bull, bear, dog, cock, or other creature to fight, worry, or injure each other, or any person who shall permit the same to be done on premises under his charge or control, and any person who shall aid, abet, or be present at such fighting and worrying of such animals as a spectator for an admission fee, shall, on conviction, be deemed guilty of a misdemeanor; *provided*, that this shall not

Proviso.

apply to officers of said society, peace, or police officers, or to witnesses authorized by the Board of Trustees of said society to be present at such fight for the purpose of giving evidence before the Police Judge, magistrate, or the Grand Jury of the county in which the offense was committed. Every person who,

Transporta-
tion
in cruel
manner.

carrying or transporting, or causing to be carried or transported on any vehicle, railroad car, steamer, or sailing vessel, any living creature, shall unnecessarily torture, injure, torment, beat, wound, or deprive of necessary sustenance, or cause unnecessary pain to them, or any person who shall pluck the feathers from any living fowl or bird, geese and tame ducks excepted, shall, on conviction, be deemed guilty of a misdemeanor; and whenever such person shall be taken into custody or placed under arrest by any officer or person authorized to take into custody and to arrest for said unlawful acts, such person

Custody of
vehicle, etc

so arresting may take charge of the vehicle and its contents in which such unlawful carrying is committed, and keep the same in some safe place, to be by the owner or person controlling said vehicle designated, or if such place be not designated, then to deliver the same into the custody of the Sheriff or Constable, to be safely kept until such person so arrested shall be admitted to bail or shall claim the same, when it shall be delivered to the owner or person entitled to the possession thereof, upon the payment of all charges of detention and keeping.

Payment
of charges.

Maimed or
diseased
animal.

Every owner, driver, or possessor of any maimed or diseased horse, mule, ox, or cow, or other domestic animal, who shall permit the same to go loose in any street, alley, or vacant lot of any town or city for more than three hours, after knowledge thereof, shall, on conviction, be deemed guilty of a misdemeanor;

Proviso.

provided, this shall not apply to owner keeping such animal, belonging to him, on his own premises, with proper care. Every sick, disabled, infirm, or crippled horse, ox, mule, cow, or other domestic animal, which shall be abandoned on the public highway, or in any open space in any city or town, may, after due search by a peace officer of said society, and no owner can be found therefor, be destroyed by such officer, and it shall be the

duty of all police and peace officers to cause the same to be done on information of such fact of abandonment of such creatures.

SEC. 7. Every person convicted of any misdemeanor under this Act shall be punished as is by law provided for the punishment of misdemeanors. Punishment.

SEC. 8. All prosecutions for violation of any of the provisions of this Act shall be conducted and prosecuted in a Court of competent jurisdiction; and any member of said societies, authorized as is provided in section five of this Act, may appear and prosecute in any of said Courts, for any violation of the provisions of this Act, whether or not he be an attorney and counselor at law; *provided*, that all such prosecutions shall be conducted in the name of the people of the State of Nevada. Prosecutions for violation of Act. Proviso.

SEC. 9. In all prosecutions for the violation of any of the provisions of this Act, the Court shall, if the defendant be found guilty, direct the Clerk to enter, if it be a Court of record, and if not, the Judge of said Court shall enter upon the docket or judgment record of said Court, the fact that the defendant was convicted for a violation of some provision of this Act; and the Judge or Court shall direct that the whole of the fine which may be paid as a penalty for such violation, to be paid to the President, Secretary, or Treasurer of any society in said county organized and incorporated as herein provided. And such Judge of such Court, Justice, or Clerk of the Court, if it be a Court of record, shall annually report, on the first Monday in September, the amount of money so paid to said society, in a report to be transmitted to the Board of Supervisors of said county; and each of said Boards of Supervisors shall make a report, on the first Monday of November of each year to the Controller of the State, of all such sums of money so paid to said society, and said Controller shall report the sum total of said sums to the Legislature at each of its regular sessions. Judgment upon conviction for violation of provisions of Act, etc.

SEC. 10. No part of this Act shall be deemed to interfere with any of the laws of this State known as the game laws, or any laws for the destruction of certain birds; nor shall this Act be deemed to interfere with the right to destroy any venomous reptiles or animals, or any animal known as dangerous to life, limb, or property, or to interfere with the right to kill all animals and fowls used for food; nor shall this Act be deemed to interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine. Provisions of Act not to interfere with other existing laws.

CHAP. LXXVI.—*An Act amendatory of and supplemental to "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one, and all Acts amendatory of and supplemental thereto.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-nine of said Act is amended so as to read as follows:

Burglary.	Section Fifty-nine. Every person who shall, in the night-time, forcibly break and enter, or without force (the doors or windows being open), enter into any dwelling house, or tent, or any other house or building whatever, or any vessel, water craft, railroad, passenger, or freight car, with intent to commit murder, robbery, rape, mayhem, grand larceny, petit larceny, or any felony, shall be deemed guilty of burglary, and, on conviction thereof, shall be punished by imprisonment in the State Prison for a term not less than one nor more than ten years.
Punishment.	
Burglary upon railroad train. Venue.	Whenever such burglary is committed upon a railroad train, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county said crime was committed, the offender may be arrested and tried in any county through which said railroad train may have run. Every person
House-breaking.	who, in the day-time, shall enter any dwelling house, shop, warehouse, depot, store, mill, barn, stable, outhouse, other building, vessel, or railroad passenger or freight car, with intent to steal, or to commit any felony whatever therein, is
Punishment.	guilty of housebreaking, and, on conviction, shall be punished by imprisonment in the State Prison for not less than one nor
Night-time defined.	more than five years. Night-time, as in this section named, means the period between sunset and sunrise. If housebreak-
House-breaking on railroad train. Venue.	ing be committed upon any railroad train, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county said crime was committed, the offender
	may be arrested and tried in any county through which said railroad train may have run.

SEC. 2. Section one hundred and forty-four of said Act is hereby amended so as to read:

Injuring dwelling house, etc.	Section One Hundred and Forty-four. Every person who shall willfully, unlawfully, and maliciously break, destroy, or injure the door or window of any dwelling house, shop, store, or other house or building; or the door, window, grating, platform, wheels, or other part of any railroad car, or sever therefrom, or from any gate, fence, or inclosure, any part thereof, or any material of which it is formed, or sever from the freehold any produce thereof, or anything attached thereto, or pull down, injure, or destroy any gate, post, railing, or fence, or any part thereof, or break, destroy, or injure any steamer or other sailing craft, or cut down, lap, girdle, or otherwise injure or destroy any fruit, or ornamental, or shade tree, being the property of another, shall, on conviction, be fined not more than
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two hundred dollars, or imprisoned in the County Jail not exceeding six months. Punishment.

CHAP. LXXVII.—*An Act to redistrict the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first Monday in January, A. D. one thousand eight hundred and seventy-five, the State shall be divided into Judicial Districts, as follows: The County of Storey shall constitute the First Judicial District; the Counties of Washoe, Ormsby, and Douglas the Second Judicial District; the County of Lyon the Third Judicial District; the County of Humboldt the Fourth Judicial District; the Counties of Lander, Nye, and Churchill the Fifth Judicial District; the Counties of White Pine and Eureka the Sixth Judicial District; the County of Lincoln the Seventh Judicial District; the County of Esmeralda the Eighth Judicial District, and the County of Elko the Ninth Judicial District. For each of which districts a District Judge shall be elected by the qualified electors thereof, at the general election in the year A. D. one thousand eight hundred and seventy-four. Judicial districts.
Election of District Judge.

SEC. 2. The terms of Court shall commence in said districts as follows: In the First District—On the first Monday in January, March, June, and October. In the Second District—In the County of Washoe, on the first Monday of January, June, and October; in the County of Ormsby, on the first Monday of March, August, and November; in the County of Douglas, on the first Monday in May and December. In the Third District—On the first Monday in February, May, August, and November. In the Fourth District—On the first Monday in January, April, July, and October. In the Fifth District—In the County of Lander, on the first Monday in January, June, and October; in the County of Nye, on the first Monday in March, August, and November; in the County of Churchill, on the first Monday in May and December. In the Sixth District—In the County of White Pine, on the first Monday in January, May, and September; in the County of Eureka, on the first Monday in March, July, and November. In the Seventh District—On the first Monday in January, April, July, and October. In the Eighth District—On the third Monday in February, May, August, and November. In the Ninth District—On the first Monday in January, April, July, and October. Terms of Court.

SEC. 3. The annual salaries of the Judges of the several districts shall be as follows: Of the First District, seven thousand dollars; of the Second District, five thousand dollars—of which sum the County of Washoe shall pay twenty-one hundred dol- Salaries of District Judges.

Same. lars, the County of Ormsby shall pay twenty-one hundred dollars, and the County of Douglas shall pay eight hundred dollars; of the Third District, three thousand six hundred dollars; of the Fourth District, four thousand dollars; of the Fifth District, five thousand five hundred dollars—of which sum the County of Lander shall pay twenty-four hundred dollars, the County of Nye shall pay twenty-one hundred dollars, and the County of Churchill shall pay ten hundred dollars; of the Sixth District, seven thousand dollars—of which the County of White Pine shall pay three thousand five hundred dollars, and the County of Eureka shall pay three thousand five hundred dollars; of the Seventh District, five thousand dollars; of the Eighth District, twenty-four hundred dollars; of the Ninth District, four thousand dollars.

Act to take effect. SEC. 4. This Act shall take effect on the first Monday of January, A. D. eighteen hundred and seventy-five.

CHAP. LXXVIII.—*An Act to consolidate and fund the indebtedness of White Pine County.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Funding Commissioners created.

SECTION 1. In order to consolidate and fund the entire indebtedness of the County of White Pine, for which warrants have been issued, and place all of its financial transactions upon a cash basis, the Chairman of the Board of County Commissioners, the Auditor, and County Treasurer of said county, and their successors in office, shall constitute and are hereby created a Board of Commissioners, to be known and styled as the Funding Commissioners of the County of White Pine of the State of Nevada, and shall have and exercise the powers hereinafter provided.

Duty to prepare bonds, etc.

SEC. 2. It shall be the duty of said Funding Commissioners to cause to be prepared bonds, equal to the present county indebtedness, together with all the indebtedness that shall have accrued, for which warrants have, or may be, issued before the first day of April, A. D. one thousand eight hundred and seventy-three. Said bonds shall be of the denomination of one hundred, three hundred, and five hundred dollars each, and each and every bond purport, in substance, that the County of White Pine, State of Nevada, owes the holder thereof a sum to be expressed therein, bearing interest at the rate of ten per cent. per annum from the first day of April, A. D. one thousand eight hundred and seventy-three; the interest to be paid upon presentation at the office of the County Treasurer, on the first day of January, A. D. one thousand eight hundred and seventy-four, and on the first day of January annually thereafter, until said bonds are paid and liquidated. Said bonds shall be due and

Bonds, denomination of, etc.

payable in gold coin, at the office of the County Treasurer of said County of White Pine, on or before the first day of January, one thousand eight hundred and eighty-three. Said bonds shall be signed by the Chairman of the Board of County Commissioners of said county, and countersigned by the County Auditor, and indorsed by the County Treasurer, and shall have the seal of the county annexed thereto.

SEC. 3. It shall be the duty of the Funding Commissioners to keep an account of the number, denomination, and amount of all bonds signed by them in accordance with the provisions of this Act; and it shall be the duty of said Commissioners to examine all warrants presented for funding, and ascertain if they are the true and correct ones issued according to the County Treasurer's and Auditor's books, corresponding to the entries therein, and no others than those found to be true and lawful ones against the County of White Pine shall be funded. Commissioners to keep account of bonds.

SEC. 4. It shall be the duty of the Auditor and Treasurer each to keep a separate record of all such bonds as may be issued in accordance with this Act, showing the number, date, and amount, and to whom issued, together with the coupons that may be issued. Separate record of bonds.

SEC. 5. Coupons for the interest shall be annexed to each bond; said coupons shall be numbered and shall express the amount of interest due at the respective periods herein named, and shall be signed by the Chairman of the Board of County Commissioners and County Treasurer. When any interest shall be paid upon a bond issued under the provisions of this Act the County Treasurer shall detach the coupons for the interest then due and paid, and deliver the same to the County Auditor, taking his receipt therefor, whose duty it shall be to file the same in his office. Coupons.

SEC. 6. All persons having any warrants of the County of White Pine, payable on or before the first day of April, one thousand eight hundred and seventy-three, whether warrants drawn upon the Treasurer or accounts audited and allowed by the Board of County Commissioners before the first day of April, one thousand eight hundred and seventy-three, shall be entitled to fund the same by virtue of this Act; *provided*, that for any fractional sum less than the amount of the bonds authorized to be issued by this Act, said Commissioners shall issue to the holder of the county warrant, or such other evidences of indebtedness as may have been audited or allowed by the Board of County Commissioners, a certificate of such fractional sum, and upon presentation of the same to the County Auditor, he shall draw a warrant upon the County Treasurer for the amount so certified; and said warrant thus drawn must be presented to the Treasurer of said county within eight months after the first day of April, one thousand eight hundred and seventy-three. And said warrants shall be payable in coin, in their regular order of payment, according to the number and date thereof. Who entitled to fund.
Proviso.

SEC. 7. Whenever any bond shall have been paid and redeemed by the County Treasurer, he shall mark the same "Canceled," over his signature as Treasurer, and immediately deliver the same to the County Auditor, taking his receipt Redemption of bonds.

therefor, and the County Auditor, upon receipt of such canceled bonds, shall file the same in his office.

Interest
tax to be
levied and
collected.

SEC. 8. In addition to the ordinary taxes for county purposes there shall be, for the year one thousand eight hundred and seventy-three, and annually thereafter, until the principal and interest of said bonds to be issued shall be fully provided for, as hereinafter provided, to be levied and collected at the same time and in the same manner as other revenues of said county, a special tax, to be called the Interest Tax, of sixty cents on each one hundred dollars of taxable property of said county, which tax shall be collected in United States gold and silver coin, and be paid over to the County Treasurer. The fund derived from this tax shall be applied only to the payment of the interest accruing upon said bonds, as herein provided; *provided*, that should said funds furnish a surplus over and above what may be required for the payment of said interest, such surplus shall be turned over and paid into the Sinking Fund herein provided for.

How
applied.

Proviso.

Arrange-
ments for
payment
of interest.

SEC. 9. It shall be the duty of the County Treasurer of White Pine County to make such arrangements for the payment of the interest of said bonds, when the same falls due, at least thirty days before the time of payment; and in the event said Interest Fund is insufficient, the said Treasurer shall draw on the General Fund of the county for such purpose; and in the event that said Fund should prove inadequate, the said Treasurer is authorized and required to make such contract and arrangements as may be necessary for the payment of said interest, and for the protection of the credit of the county.

Sinking
Fund set
apart.

SEC. 10. It shall be the duty of the Treasurer of said county to set apart a Fund, to be called the "Sinking Fund of the County of White Pine." Into said Fund shall be paid, first, any and all surplus of the Interest Fund, as aforesaid; second, fifteen (15) per centum of all county revenues in the County Treasury of said county at the time of the taking effect of this Act, which the Board of County Commissioners shall cause to be transferred into said Sinking Fund, as soon after the first day of April, A. D. one thousand eight hundred and seventy-three, as practicable, and fifteen (15) per centum of all county revenues paid into the Treasury of said county at any time after the first day of April, A. D. one thousand eight hundred and seventy-three, to be placed in said Sinking Fund, as soon as paid into said Treasury. Each of said payments shall be continued until the Sinking Fund shall be sufficient for the payment of the principal and interest of the bonds; and when the same shall have been paid and liquidated the same shall cease, and all surplus remaining in the Sinking Fund shall be paid into the General Fund of said county.

Advertise-
ment for
surrender
of bonds.

SEC. 11. Whenever at any time there shall be in the Sinking Fund a sum of money amounting to one thousand dollars or upward, the County Treasurer shall advertise in a public newspaper published in said county, for the space of thirty days, for sealed proposals for the redemption of said bonds; but in case there be no newspaper published in said county, then in that case said advertisement shall be published in some newspaper having the largest circulation in said county, to be designated by

the Chairman of the Board of County Commissioners—the advertisement to specify the day, hour, and place the sealed proposals will be opened.

SEC. 12. At the time specified, the Treasurer shall open the sealed proposals, at his office, in the presence of the Chairman of the Board of County Commissioners and Auditor, and such other persons as may wish to be present, and shall pay and liquidate such bonds presented at the lowest value at which they may be proposed to be liquidated; *provided*, the same shall not be for more than their par value; *and, provided*, that if there be no sealed proposals made or offered for the surrender and payment of said bonds, then in that case it shall be the duty of the County Treasurer to advertise, in the manner as before mentioned, for a period of not less than twenty or more than thirty days, for the surrender and payment of so many of said bonds as the amount of money in said Sinking Fund will pay in their regular order of payment, commencing with number one, two, and three, and so continue the payment in that order, according to their number and date; and in the event that the holder or holders of the bond or bonds first in order of payment shall fail to present his or their bond or bonds for payment, at the office of the County Treasurer, in the Town of Hamilton, at the time indicated in the before-mentioned advertisement, then in that case the said bond or bonds shall cease to draw interest from such date named in the advertisement for the payment of the same. And in like manner the County Treasurer shall continue to advertise the next bond or bonds in order of payment, according to their number and date, and if the holder or holders thereof fail to surrender for payment, as provided, the interest upon said bonds shall cease, as before mentioned. The County Treasurer shall continue to advertise from time to time, as provided, until the whole amount of bonds has been advertised, or the amount of money in the Sinking Fund shall have been paid out in their redemption, as heretofore provided; *and, provided*, that should there be no proposals made for less than par value, then the payment shall be made *pro rata* on all of said bonds; *provided, further*, that said bonds upon which interest shall have ceased in consequence of the holder or holders thereof having failed to present the same for payment, as above provided in this Act, then and in that case said bonds shall have preference over the interest-bearing bonds in order of payment, and shall be paid in their regular order of date and number, but under the same rules, regulations, and restrictions as provided in this Act for interest-bearing bonds.

Proposals
opened.

Payment.

When
interest
to cease.

Advertise-
ment to be
continued.

SEC. 13. A full and particular account and record of the Sinking Fund shall be kept by said Treasurer, and shall at all times be open for the inspection of the Auditor, Board of Commissioners, and Grand Jury; and upon demand of the Grand Jury of said county, the Treasurer shall cause a concise statement to be made of the condition and business of said Fund, and the amount of bonds issued, and to whom issued.

Record,
etc., of
Sinking
Fund to
be kept.

SEC. 14. The County Treasurer shall pay, out of any money in the Treasury not otherwise appropriated, any and all expense that may be incurred in having said bonds prepared, not to exceed the sum of five hundred dollars.

Expenses of
preparing
bonds.

Compensation of Commissioners.

SEC. 15. The Funding Commissioners shall receive such compensation for their services as the Board of County Commissioners may allow, to be paid out of the County Treasury, as other charges against the county are paid.

Advertisement for funding.

SEC. 16. On the first day of April, one thousand eight hundred and seventy-three, the County Treasurer of White Pine County shall advertise in some newspaper, as heretofore provided, for the period of thirty days, that from and after that day the funding of the then outstanding warrants of White Pine County will commence; from which date it shall not be lawful for the Treasurer of said county to pay or liquidate any of the outstanding warrants of said county in any other way than by funding it [them] in accordance with the provisions of this Act; nor shall said Treasurer, under any pretense whatever, liquidate, pay, or cause to be paid any portion thereof, only in accordance with the provisions of this Act. The expense for publishing, as provided in this Act, shall be paid out of the General Fund of the county.

When Treasurer prohibited from paying warrants.

Officers not complying with Act guilty of misdemeanor. Penalty.

SEC. 17. Any county officer or officers of the County of White Pine who shall willfully neglect or refuse to comply with the requisitions or provisions of this Act, shall be deemed guilty of misdemeanor in office, and be fined in any sum not less than two hundred nor more than one thousand dollars, to be recoverable before any Court of competent jurisdiction, or dismissal from office, or both such fine and dismissal, in the discretion of the Court; and it is hereby made the duty of the District Judge of White Pine County to give the substance of this section in charge to the Grand Jury, at each session, making it their duty to inquire and investigate as to any infraction or violation of this Act by any of the officers herein named whose duty it is to carry into practical effect the provisions of this Act, and it is hereby made the duty of the District Attorney to prosecute all delinquents under this Act.

Substance of section to be given in charge to the Grand Jury.

Power of District Court.

SEC. 18. The District Court of White Pine County shall have power to enforce obedience to the provisions of this Act, and for that purpose shall have full power to issue process of *mandamus*, prohibition, and all other writs that may be required that are authorized by law.

Fines, etc.

SEC. 19. All fines and penalties collected under the provisions of this Act shall be paid into the School Fund.

Repeal.

SEC. 20. All Acts, or parts of Acts, in conflict with this Act, are hereby repealed.

CHAP. LXXIX.—*An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds payable from the Building Fund, and to levy a tax to provide for the payment thereof.*

[Approved March 7, 1873.]

Preamble. Bonds heretofore issued.

WHEREAS, The County of Elko, State of Nevada, has heretofore issued bonds, in pursuance of an Act of the Legislature of this State, approved March tenth, eighteen hundred and

sixty-five, entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," and that said bonds now outstanding amount to the sum of twenty-one thousand dollars, and are due and payable on the first day of January, A. D. eighteen hundred and seventy-four; whereas, the further sum of thirty-five hundred dollars was obtained from J. N. Williams, as a loan to provide in part for the payment of the interest on said Court-House bonds aforesaid, and for which a warrant was drawn on the Building Fund of said county, and duly legalized by an Act of the Legislature of this State, approved February sixteenth, eighteen hundred and seventy-one, and the same is due and payable; and, whereas, the principal of said bonds and warrants amount to the sum of twenty-four thousand and five hundred dollars, gold coin of the United States; therefore,

Warrant
heretofore
issued.

Amount
due.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In order to provide for the payment of the bonds and warrants now due, and to become due, amounting to the sum of twenty-four thousand and five hundred dollars, gold coin, as herein recited and set forth, a loan, not exceeding the sum of twenty-eight thousand dollars, gold coin of the United States, is hereby authorized to be negotiated, on the faith and credit of the County of Elko, Nevada, to be paid within ten (10) years from the first day of January, A. D. eighteen hundred and seventy-four, to bear interest at the rate of ten per cent. per annum.

Elko
County
authorized
to contract
loan.

SEC. 2. The Board of County Commissioners of Elko County shall cause to be prepared suitable bonds, to be issued for the payment of the loan authorized by this Act, which bonds shall be of the denomination of five hundred dollars each, and every bond purport, in substance, that the County of Elko, State of Nevada, owes the holder thereof the sum of five hundred dollars, gold coin of the United States, payable from the Building Fund of said county, and to bear interest at the rate of ten per cent. per annum, from the first day of January, A. D. eighteen hundred and seventy-four, the interest to be paid at the office of the County Treasurer of said county, on the first day of January, A. D. eighteen hundred and seventy-five, and annually thereafter, in gold coin, until said bonds are paid and liquidated. Said bonds shall be signed by the Chairman of the Board of County Commissioners, countersigned by the Clerk of said Board, and indorsed by the County Treasurer, and shall have the seal of said Board impressed thereon, and the said bonds shall bear date of January first, A. D. eighteen hundred and seventy-four.

Bonds to
be issued.

Substance
and form
of bonds.

Interest,
when and
where paid.

Bonds, how
signed and
sealed.

SEC. 3. Coupons for the interest shall be attached to each bond. Said coupons shall be numbered consecutively, and shall express the amount of interest due at the respective periods herein named, and shall be signed by the Chairman of the Board of County Commissioners, and the County Treasurer, and upon the payment of said coupons by the County Treas-

Interest
coupons.

Form:

urer he shall deliver the same to the County Auditor, to be by him filed in his office.

Sale of
bonds.

SEC. 4. It shall be the duty of the Board of County Commissioners, and they are hereby authorized to negotiate the sale of the bonds provided herein to be issued. Said bonds, or so many thereof as may be required, shall be sold at the highest market price that can be obtained for the same, in gold coin of the United States, and the proceeds from said sale to be paid into the Building Fund of said county, as in this Act provided, to be used for redeeming the bonds and warrants in the foregoing preamble recited; *provided*, the said Board may exchange any of the bonds issued under this Act in lieu of any outstanding bonds and warrants in said preamble mentioned, if on such terms as would seem to them advisable.

Proceeds to
be paid into
Building
Fund.

Proviso.

Clerk to
keep record
of bonds
issued.

SEC. 5. It shall be the duty of the Clerk of said Board to keep a record of all such bonds as may be issued in accordance with this Act, showing the number, date, amount, and to whom issued.

Building
Fund
created.

SEC. 6. After the negotiation and sale of the bonds provided for in this Act, it shall be the duty of the County Treasurer to set apart a Fund for the purpose of paying the principal and interest of said bonds, as the same may become due, which shall be called the Building Fund. There shall be levied and collected for the fiscal year commencing January first, one thousand eight hundred and seventy-four, and annually thereafter until all the bonds issued and sold under this Act shall have been fully paid, both principal and interest, a special tax, to be known as the Building Tax, of fifteen (15) cents on each one hundred dollars of taxable property in the county, including the tax on the proceeds of the mines. The moneys derived from this tax shall be applied to the payment of the interest accruing upon said bonds issued in pursuance of this Act; *provided*, that should a surplus remain in said Building Fund after the payment of the annual interest, it shall be applied toward the payment of the principal as in this Act provided.

Special tax
authorized.

Surplus,
how
applied.

Surplus in
Building
Fund, how
applied.

SEC. 7. If, on the first day of January, one thousand eight hundred and seventy-five, or whenever, on the first day of January annually thereafter, until the bonds provided to be issued by this Act shall have been paid and liquidated, there shall remain in said Building Fund a surplus of five hundred dollars or more, after the payment of the interest, as in this Act provided, the County Treasurer shall advertise, in a newspaper published in Elko County, for the space of thirty days, for sealed proposals for the redemption of said bonds; and in case there be no paper published in said county, then in that event in some newspaper published in the State having the largest circulation in said county, to be designated by the County Commissioners; the said advertisement to specify the place, day, and hour the said proposals will be opened.

Notice for
sealed
proposals.

Sealed
proposals to
be opened
and
awarded.

SEC. 8. At the place and time specified, the County Treasurer shall open said proposals in the presence of the Chairman of the Board of County Commissioners and County Auditor, and shall pay and liquidate such bonds presented at the lowest value which they may be proposed to be surrendered; *provided*, that no bid shall be received for more than the par value; *and*, *pro-*

vided further, that if there be no sealed proposals made or offered for the surrender and payment of said bonds, then in that case it shall be the duty of the County Treasurer to advertise, in the manner and for the time as before mentioned, for the surrender and payment of so many of said bonds as the amount of money in said Building Fund will pay, in their regular order as numbered, commencing with number one, and continuing the payments in that order according to their number; and in the event that the holder or holders of the bond or bonds, in order of payment as above provided, shall fail to present his or their bonds for payment at the office of the County Treasurer, at Elko, Nevada, at the time named in said advertisement, then in that case the said bond or bonds so advertised shall cease to bear interest from such date named in the advertisement for the payment of the same; *provided*, said Treasurer shall reserve in said Fund an amount sufficient to pay the principal of said bonds advertised, when presented for payment.

No bids received, notice to be given of payment of bonds.

Bonds advertised for, not presented, cease to bear interest.

Treasurer to reserve amount.

SEC. 9. The expense for bonds and publishing, as provided in this Act, shall be paid out of the General Fund of the county.

Expense of bonds, etc., how paid.

CHAP. LXXX.—*An Act fixing the number of Officers and Employés of the Senate and Assembly, to define their duties, and to establish their pay.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The officers and employés of the Senate shall consist of one Secretary, one Assistant Secretary, one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Minute Clerk, one Journal Clerk, one Enrolling Clerk, one Engrossing Clerk, two Copying Clerks, one Chief Clerk of Committees, three Committee Clerks, one Porter, one Messenger, and two Pages.

Officers and employés of Senate.

SEC. 2. The officers and employés of the Assembly shall consist of one Chief Clerk, one Assistant Clerk, one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Minute Clerk, one Journal Clerk, one Enrolling Clerk, one Engrossing Clerk, one Chief Clerk of Committees, four Committee Clerks, two Copying Clerks, one Porter, one Messenger, and two Pages.

Officers and employés of Assembly.

SEC. 3. There shall be paid to the several officers and employés named in this Act, for all services rendered by them under the provisions of this Act, the following sums and no more: The Secretary of the Senate, and Assistant Secretary of the Senate, the Chief Clerk of the Assembly, and Assistant Clerk of the Assembly, shall receive ten (10) dollars per day; all other clerks of the two Houses, with the exception of Chief Clerks of Committees, and Committee Clerks, who shall receive

Salaries of officers and employés.

Additional copying. Compensation.	<p>six (6) dollars per day, shall each receive nine (9) dollars per day; to the Sergeant-at-Arms of the Senate, and to the Sergeant-at-Arms of the Assembly, each ten (10) dollars per day; to the Assistant Sergeant-at-Arms of the Senate, and of the Assembly, each eight (8) dollars per day; to the Porters of the Senate and Assembly, each five (5) dollars per day; to the Messengers, each four (4) dollars per day; and to the Pages, each three (3) dollars per day; and all additional copying required in the enrolling and engrossing departments of the two Houses, shall be under the supervision of the Chairman of the Enrolling and Engrossing Committees respectively, and shall be compensated at the rate of fifteen (15) cents per folio, for engrossing, and twenty-five (25) cents per folio for enrolling.</p>
Secretary of Senate, duties of.	<p>SEC. 4. It shall be the duty of the Secretary of the Senate to attend each day, call the roll, read the Journal and bills; to take charge of and superintend the copying of the Journals, and all other copying necessary to be done for the Senate. It shall be the duty of the Chief Clerk of the Assembly to attend each day, to call the roll, read the Journal and bills, and to take charge of and superintend the copying of the Journals, and all other copying necessary to be done for the Assembly. It shall be the duty of the Assistant Secretary of the Senate, and the Assistant Clerk of the Assembly, to take charge of all bills, petitions, and other papers presented to their respective Houses, to file and enter the same in the books provided for that purpose, and perform such other duties as may be directed by the Secretary of the Senate and Chief Clerk of the Assembly. It shall be the duty of the Minute Clerk of the Senate, and the Minute Clerk of the Assembly, to keep a correct record of the proceedings of each day, for the purpose of having such proceedings recorded in the Journals, by the Journal Clerks of their respective Houses. It shall be the duty of the Journal Clerk of the Senate to record each day's proceedings in the Journal, from which they shall be read by the Secretary each day of meeting, in order that they may be authenticated by the signature of the President. It shall be the duty of the Journal Clerk of the Assembly to perform all similar duties for the Assembly which are required to be performed by the Journal Clerk of the Senate. It shall be the duty of the Copying Clerks of the Senate to copy into the Appendix the annual reports of the State officers, and other lengthy documents, and to perform all such copying for the printer as shall be ordered by the Senate. It shall be the duty of the Copying Clerks of the Assembly to copy into the Appendix all lengthy documents, and to perform all such copying for the printer as shall be ordered by the Assembly; but the annual reports of the State officers shall not be copied into the Assembly Journal or Appendix, but the journal of the proceedings of Joint Conventions of the Senate and Assembly shall be copied only in the Journal of the Assembly. It shall be the duty of the Sergeant-at-Arms of the Senate, and the Sergeant-at-Arms of the Assembly, to give a general supervision, under the direction of the presiding officers, to the Senate and Assembly chambers, with the rooms attached; to attend during the sittings of their respective bodies, execute their commands, together with all such process, issued by</p>
Chief Clerk of Assembly, duties of.	
Duties of Assistant Clerks.	
Duties of Minute Clerks.	
Journal Clerk of Senate.	
Journal Clerk of Assembly.	
Duties of Copying Clerks.	
Duties of Sergeants-at-Arms.	

authority thereof, as shall be directed to them by their presiding officers; to keep an accurate account for paying mileage of members, and prepare checks for the same. They shall receive no other compensation for their services beyond their per diem, except actual expenses incurred in arrests made by them, and for traveling expenses for themselves or special messenger, which expenses, so incurred, shall be paid from the Contingent Fund of their respective Houses; *provided*, that no messenger shall be employed by any officer of either House, unless expressly authorized so to do by the House of which he is an officer. It shall be the duty of the Assistant Sergeant-at-Arms of each House to perform the duties of doorkeeper, prohibit all persons except members of the Legislature and State officers, employés, and ladies, and such reporters as may have seats assigned them by the rules of each House, from entering within the bar of the House of which he is doorkeeper, unless upon invitation; and to arrest for contempt all persons outside of the bar or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of their respective Houses. It shall be the duty of the Chief Clerk of Committees to have a general supervision over the committee clerks of their respective Houses, detailing them for duty when called upon so to do by the Chairman of any committee requiring the services of a clerk; and the Chief Clerk of Committees of each House shall at all times hold himself in readiness to perform the duties of committee clerk for any committee requiring his services.

No extra compensation.

No messenger to be employed without express authority.

Duties of Assistant Sergeants-at-Arms.

Duties of Chief Clerks of Committees.

SEC. 5. It shall be the duty of the Secretary and Assistant Secretary of the Senate, and Chief Clerk and Assistant Clerk of the Assembly, at the close of each session of the Legislature, to mark, label, and arrange all bills and papers belonging to the archives of their respective Houses, and to deliver the same, together with all books of both Houses, to the Secretary of State, who shall certify to the reception of the same; and upon the production of said certificate to the Controller of State, the Controller is authorized and directed to draw his warrant upon the Treasurer, in favor of the above named parties, for the sum of twenty-five dollars each, and the Treasurer is authorized to pay the same out of any money in the General Fund not otherwise appropriated.

Duties of Secretaries and Clerks at close of session.

Controller to draw warrant. Compensation.

SEC. 6. All officers and employés of the Senate and Assembly, provided for in this Act, shall be elected by the Senate and Assembly respectively. The Senate and Assembly may invite ministers of the different denominations to officiate alternately as Chaplains of their respective Houses, at a compensation for such services, when rendered, of five (5) dollars per day.

Election of officers and employés. Chaplains.

Compensation.

SEC. 7. Any of the officers and employés mentioned in this Act may be removed by a two-thirds vote of the members of the House in which they are connected, for failure to perform the duties imposed upon them by this Act, or for incompetency, or for conduct which shall by each House be deemed improper.

Removals of officers and employés.

SEC. 8. No additional number of officers or employés of the Senate or Assembly shall be elected or appointed.

No additional officers or employés.

Per diem,
when to
commence.

Terms of
present
officers and
employees
not affected

Act of
March
18, 1871,
repealed.

SEC. 9. The per diem of all officers fixed by this Act shall date from the day on which they shall have been elected and qualified.

SEC. 10. Nothing in this Act shall be construed so as to affect the tenure of office of any attaché of this Legislature herein named, and appointed prior to the passage of this Act.

SEC. 11. An Act entitled "An Act in relation to enrolling laws, resolutions, and other documents," approved March thirteenth, eighteen hundred and sixty-seven, is hereby repealed.

CHAP. LXXXI.—*An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of Public Schools," approved March twentieth, eighteen hundred and sixty-five, and of Acts amendatory thereof.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Seal of
State
Board of
Education.

Sessions
of Board.

Record of
proceed-
ings of
Board.

Superin-
tendent of
Public In-
struction,
duties of.

Section Three. The State Board of Education shall have a seal, an impression and description of which shall be deposited in the office of the Secretary of State. It shall be the duty of said Board to hold semi-annual sessions, for the purpose of devising plans for the improvement and management of the public school funds, and for the better organization of the public schools of the State, and such special sessions as may be called by the President. A full record of the proceedings of the Board shall be kept by the Secretary, and shall be embodied in the annual report of the Superintendent of Public Instruction.

SEC. 2. Section seven of said Act is hereby amended so as to read as follows:

Section Seven. The Superintendent of Public Instruction shall prescribe suitable forms and regulations for making all reports, and conducting all necessary proceedings under this Act, and shall cause the same, with such instructions as he shall deem necessary and proper for the organization and government of schools, to be transmitted to the local school officers, who shall be governed in accordance therewith. He shall prepare a convenient form of school register, for the purpose of securing more accurate returns from teachers of public schools, and shall furnish each County Superintendent with a number, sufficient to supply at least one copy thereof to each district or school of such county. He shall prepare pamphlet copies of the school law, and all amendments thereto, and shall transmit a number of the same to the County Superintendents, sufficient to supply each and every School Trustee, School Marshal, and school teacher with at least one copy of the same.

SEC. 3. Section fifteen of said Act is hereby amended so as to read as follows:

Section Fifteen. It shall be the duty of the County Treasurer of each county:

County
Treasurers
to receive
school
moneys.

First—To receive and hold as a special deposit all public school moneys, whether received by him from the State Treasurer or raised by the county for the benefit of public schools, or from any other source, and to keep a separate account thereof, and of their disbursement.

Second—On receiving any public school moneys subject to distribution, to notify the County Superintendent of Public Schools of the amount thereof.

To notify
County
Commissioners.

Third—To pay over, on the warrant of the County Superintendent, duly indorsed by the person entitled to receive the same, the several amounts of school moneys to which each city, town, and district shall be entitled; and,

Pay school
moneys on
warrant
of County
Superintendent.

Fourth—On or before the first day of October, annually, to make a full report to the Superintendent of Public Instruction of the public school moneys received into the County Treasury within the school year ending on the last day of August next previous thereto, with a particular statement of the disbursement of the said school moneys, and of any amount of said school moneys which may remain in his hands for distribution at the close of such school year, designating whether of State or County School Fund. And in case of failure or neglect of said County Treasurer to make such report, he shall forfeit, for the benefit of the County School Fund, the sum of one hundred dollars from his official compensation; and it is hereby made the duty of the County Commissioners, on notice from the Superintendent of Public Instruction of such failure or neglect on the part of any County Treasurer, to deduct said one hundred dollars from his compensation, and place said amount to the credit of the County School Fund.

To make
report.

Penalty.

SEC. 4. Section seventeen of said Act is hereby amended so as to read as follows:

Section Seventeen. It shall be the duty of the County Superintendent of Public Schools, upon receiving notice from the County Treasurer and the County Auditor, as provided in this Act, to apportion the public school moneys in the County Treasury among the several school districts of his county, in proportion to the number of children between the ages of six and eighteen years, as returned by the School Trustees and Census Marshals, and to forthwith notify the County Treasurer and the School Trustees, in writing, of such apportionment, in detail. He shall make such apportionment on the first Monday in January of each year, and quarterly thereafter. He shall have power, and it shall be his duty, to draw his warrant on the County Treasurer in favor of the Trustees of any school district in his county, for any bill duly signed by said Trustees and authorized by this Act; *provided*, that such warrant shall not be drawn except upon presentation of an itemized account, and until full and correct returns have been made to him as required by law; *and, provided further*, that, if in the opinion of the Superintendent, any bill contain an exorbitant or unwarranted charge, he may refuse to draw his warrant until ordered to do so by the Board

County
Superintendent
to apportion
school
moneys.

To draw
warrants.

Veto
exorbitant
or unwarranted
bills

County Commissioners to act upon rejected bills.

of County Commissioners, who shall act as Auditors upon all bills rejected by the County Superintendent. No warrant shall be drawn in favor of any school district unless there be cash in the Treasury at the time to the credit of said district.

SEC. 5. Section eighteen of said Act is hereby amended so as to read as follows:

County Superintendents to visit schools.

Section Eighteen. The County Superintendent shall have power, and it shall be his duty:

First—To visit each public school in his county within ten miles of the county seat at least once in each term; *provided*, that he shall visit all the schools in his county once in each year; to exercise a general supervision over the interests of the public schools in his county, and give to the School Trustees, Marshals, and teachers such aid as may be important to the prosperity of the schools.

Distribute blanks, etc.

Second—To distribute promptly such blank reports, forms, laws, and instructions as shall be received by him from the Superintendent of Public Instruction, for the use of School Trustees, Marshals, and teachers, and any other officers entitled to receive the same.

File reports, etc.

Third—To keep on file in his office the reports of the School Trustees, Marshals, and teachers received by him, and to record all his official acts in a book to be provided for that purpose, together with a full record of the proceedings of the County Board of Examination; and at the close of his official term to deliver to his successor such records, and all documents, books, and papers belonging to his office, and to take a receipt for the same, which shall be filed in the office of the County Treasurer and the County Auditor.

To make annual report.

Fourth—To make a full report annually, on or before the fifteenth day of September, for the school year ending on the last day of August next previous thereto, to the Superintendent of Public Instruction, such report to include an abstract of all the various annual reports of the City Boards of Education, School Trustees, Marshals, and teachers, by law required to be made to the County Superintendent for the preceding school years.

To preside, etc.

Fifth—To preside over, regulate, and conduct all County Teachers' Institutes which may be called under the provisions of the section of this Act providing for the calling of such Institutes.

To appoint School Trustees.

Sixth—To appoint School Trustees in all the districts in which the qualified voters fail to elect, and to fill by appointment all vacancies occurring in said office.

To draw warrants.

Seventh—To draw his warrants on the County Treasurer, in favor of the Board of Trustees, for the purchase of school books, which may be furnished by said Trustees to indigent children of the district, making the same payable out of the county school moneys apportioned to such district.

To subscribe for an educational journal.

Eighth—To subscribe annually for a sufficient number of copies of an educational journal devoted exclusively to educational purposes, to furnish each school officer and teacher in his county with a copy of the same, and one copy to be filed with the records of the district, and to pay for the same in the

same manner as other contingent expenses of the district are paid, out of the County School Fund.

SEC. 6. Section twenty-one of said Act is hereby amended so as to read as follows:

Section Twenty-one. The County Superintendent shall receive for his official services such compensation as shall be allowed by the Board of Commissioners of his county, which shall be audited and paid in the same manner as other county salaries and expenses are audited and paid; *provided*, that such compensation shall be at least sufficient to pay all necessary traveling expenses incurred by him in the discharge of the duties required of him by law. He may appoint a deputy, who shall have authority to transact all the business of the office during the absence or inability of the Superintendent; *provided*, that the county shall not be responsible for payment of the salary of such deputy. He shall, in person or by deputy, attend at his office during business hours of Saturday of each week, for the purpose of drawing warrants and the transaction of any other official business.

Compensation of.

Deputy
County
Superintendent.

SEC. 7. Section twenty-two of said Act is hereby amended so as to read as follows:

Section Twenty-two. At the general election of the several counties in this State in A. D. eighteen hundred and seventy-four, there shall be elected by the qualified voters of each district a Board of School Trustees, to consist of three members; *provided*, that in any district wherein the number of votes cast at the last previous general election exceeded fifteen hundred, such Board shall consist of five members. At said general election in eighteen hundred and seventy-four, and each general election thereafter, there shall be elected in each district one Trustee, to serve upon the Board of Trustees four years; and a term of four years shall be known, both in this Act and for the purpose of the election of School Trustees, as the long term; and the other Trustee or Trustees (as the case may be) necessary to fill the Board, shall be elected to serve upon the Board for the term of two years; *provided*, that in any district entitled under the provisions of this Act to five Trustees, two of the Trustees shall be elected to serve upon the Board for the long term. Trustees shall enter upon the duties of their office on the first Monday of January succeeding their election. They are hereby authorized to administer to each other the oath or affirmation of office. Certificates of election shall be issued the same as to county and township officers, which certificates, with the oath or affirmation indorsed thereon, shall be forwarded to the County Superintendent, who shall file the same in his office.

Election
of School
Trustees.

Term of
office of
Trustees.

When
term of
office to
commence.

Certificates
of election.

SEC. 8. Section twenty-four of said Act is hereby amended so as to read as follows:

Section Twenty-four. It shall be the duty of the Trustees, a majority of whom shall constitute a quorum for the transaction of business, to meet as soon as practicable after taking the oath of office, at such place as may be most convenient in the district, and to organize by appointing one of their number Clerk of the Board, who shall preside at official meetings of the Trustees and record their proceedings in a book to be provided for the purpose; and all such proceedings, when so recorded, shall be signed by said

Board of
Trustees,
duties of.

Clerk. Said book shall at all times be subject to the inspection of any taxpayer in the district; and said Clerk shall cause full minutes of the proceedings of each session of the Board to be published in some newspaper having general circulation in the district; *provided*, that such publication may be had without expense to the district. In districts having a school population of three hundred or more, the Clerk of the Board of Trustees may receive such salary as said Board may allow; *provided*, that such salary shall not exceed ten dollars per month.

SEC. 9. Section twenty-five of said Act is hereby amended so as to read as follows:

Board of
Trustees,
powers of.

Section Twenty-five. Each Board of Public School Trustees shall constitute a body corporate, and shall have care and custody of all school property within their district. They shall have power to convey by deed all the estate or interest of their district in any school-house or site directed to be sold by vote of the district. It shall be their duty, directed by a vote of their district, to build, purchase, or hire school-houses for the use of the district, and also, without such vote, to cause any needed repairs of the same, when the expense of such repairs will not exceed five hundred dollars, and to supply school-houses with necessary furniture, fixtures, and fuel; *provided*, that no public school-house shall be erected in any school district in the State until the plan of the same has been submitted to and approved by the County Superintendent of Public Schools. County Superintendents may refuse to draw their warrants in payment of expenses incurred in disregard of this provision. Trustees shall cause to be erected such outhouses as decency requires; and in case of failure or neglect in this particular, it shall be the duty of the County Superintendent to cause the work to be done, and to pay for the same out of the Fund belonging to the delinquent district. All conveyances of real estate made to the Board of School Trustees shall be in their corporate name and to their successors in office.

Convey-
ance of real
estate.

SEC. 10. Section twenty-eight of said Act is hereby amended so as to read as follows:

Teachers.

Section Twenty-eight. It shall be the duty of the School Trustees to employ teachers, and to certify the amount due them for services to the County Superintendent, who shall draw a warrant on the County Treasurer for the amount; *provided*, that salaries of teachers shall be determined by the character of the service required, and that in no district shall there be discrimination in the matter of salary as against female teachers. Trustees may dismiss any teacher at any time for such reasons as they may deem sufficient. They shall visit the school or schools under their charge at least once in each term by one or more of their number, with such other persons as they may choose to invite.

Trustees
may
dismiss
teachers.

SEC. 11. Section thirty-two of said Act is hereby amended so as to read as follows:

School
Census
Marshal,
duties of.

Section Thirty-two. It shall be the duty of the School Trustees of each district to appoint a School Census Marshal, on or before the first day of May in each year, and file a copy of his certificate of appointment with the County Superintendent of their county. It shall be the duty of such School Census Marshal to take annually, in the month of May, a specific census of all the

children in his district between the ages of six and eighteen years, Same. specifying the number and sex of such children, together with the names and ages of all children between the ages of eight and fourteen years, the names of their parents or guardians, and the city, town, or district in which they reside; to include all children who may be attending colleges, boarding schools, or other private institutions of learning, as resident in the city, town, or district in which the parents or guardians of such children may reside, and not to include such non-resident children in the city, town, or district where they may be attending such private schools; to report the number attending private schools; the number not attending schools, setting forth their names and ages; the number between the ages of eighteen and twenty-one; the number born in Nevada, with such other statistics as the Superintendent of Public Instruction may require, and to make a full report thereof in writing, under oath or affirmation, to the County Superintendent, and deliver a copy thereof, in writing, to the School Trustees or Board of Education in his district, town, or city, on or before the first day of July next after his appointment. Said School Census Marshals shall be paid for their official services such compensation as may be allowed by the Board of Commissioners of such county, upon recommendation of the School Trustees; and such demands shall be audited and paid in the same manner as other county salaries and expenses are audited and paid.

Compensation.

SEC. 12. Section forty-one of said Act is hereby amended so as to read as follows:

Section Forty-one. The County Superintendent shall appoint two competent persons, who, with himself, shall be and constitute a Board of Examination, of which he shall be the Chairman. Said Board shall be constituted for the purpose of examining applicants and of granting certificates of qualification to teachers of public schools. They shall meet at such times and places as the interests of the public may require, and be governed by such rules and regulations as the State Board of Education may from time to time direct. They shall only grant certificates, except as hereinafter provided, to such persons as shall pass a satisfactory examination, which certificates shall remain in force, as specified in this section, unless revoked for good cause shown. Said Board of Examiners shall have power to grant certificates of the following grades: Certificates of the First Grade—For teaching unclassified grammar, and high schools, which shall be good for two years; Certificates of the Second Grade—For teaching primary schools, which shall be good for one year. Said certificates shall be issued to such persons only as have passed a satisfactory examination in the branches of study pursued in each specified grade of all [the] public schools, and shall have given evidence of good moral character and fitness to teach; and said certificates shall be signed by a majority of the Board of Examiners. Said Board shall have power to renew the certificate of a teacher who is successfully and continually engaged in teaching in the county, without a reexamination. It shall be the duty of said Board, upon presentation to them

Boards of Examination, duties of.

of any life certificate of any State, or of a California State Normal School diploma, to grant to the holder thereof a county certificate, without examination; *provided*, that such State certificate or diploma shall be presented within five years from the date of issuance.

SEC. 13. Section forty-five of said Act is hereby amended so as to read as follows:

County
School
tax.

Section Forty-five. The Board of County Commissioners of each county shall annually, at the time of levying other county taxes, levy a county school tax, not to exceed fifty cents, nor less than fifteen cents, on each one hundred dollars valuation of taxable property, which tax shall be added to the county tax, and collected in the same manner, and paid into the County Treasury as a special deposit, to be drawn in the same manner as other public school moneys; and should said County Commissioners fail or neglect to levy said tax as required, it shall be the duty of the County Auditor to add such tax as the County Superintendent of Public Schools may deem sufficient, between the limits of fifteen (15) and fifty (50) cents on each one hundred dollars valuation of taxable property in the county, to the assessment roll, to be collected as specified in this section.

SEC. 14. Section fifty of said Act is hereby amended so as to read as follows:

School
Month.

Compensation of
teachers.

Section Fifty. Except when special agreement is made, a school month shall consist of four weeks of five days each, and teachers shall be paid only for the time in which they are actually engaged in teaching; *provided*, that when an intermission of less than six days is ordered by the Trustees no deduction of salary shall be made therefor.

SEC. 15. Section fifty-seven of said Act is hereby amended so as to read as follows:

Acts
repealed.

Section Fifty-seven. An Act entitled "An Act in relation to the payment of school moneys by County Treasurers," approved February twenty-seventh, eighteen hundred and seventy-one; also, an Act entitled "An Act concerning teachers of common schools in this State," approved January twenty-sixth, eighteen hundred and sixty-five, together with all Acts, and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

CHAP. LXXXII.—*An Act to encourage the growth of Forest Trees.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Planting
and
cultivation
of forest
and shade
trees.

SECTION 1. Every person planting one acre or more of land, within five years after the passage of this Act, with any kind of forest or shade trees, and successfully growing and cultivating the same for three years, and any person planting, protecting, and cultivating for three years, one half mile or more of forest

or shade trees, along any public highway, said trees to be planted so as to stand, at the end of three years, one rod apart, shall be entitled to receive, for twenty years, commencing two years after said grove or line of trees has been planted, an annual bounty of ten dollars per acre for each acre so planted, and ten dollars for each half mile so planted, to be paid out of the County Treasury of the county in which said grove or line of trees may be situated. Such bounty shall not be paid any longer than said grove or line of trees is cultivated and kept alive and in a growing condition.

Continuance of bounty.

SEC. 2. Any persons wishing to avail themselves of the provisions of section one of this Act shall, within two years after planting said grove or line of trees, showing on what section or other piece of land said grove or line of trees is situated, attested by his own oath and the affidavit of at least two householders of the vicinity, setting forth all the facts in relation to the growth and cultivation of said grove or line of trees. The County Clerk shall lay such plat and affidavit before the Board of County Commissioners, and if they find from all the evidence that section one of this Act has been fully complied with, shall cause warrants to be issued upon the County Treasury of the county for the bounty above provided for.

Benefits of Act, how availed of.

County to issue warrants.

SEC. 3. The affidavit of the claimant, and of at least two householders of his vicinity, showing the growth and condition of such trees, shall be filed each year in the office of the County Clerk, before the County Commissioners shall authorize warrants to be drawn on the County Treasurer for the bounty for that year; *provided*, that the provisions of this Act shall in nowise apply to willows and cottonwoods planted for the express purpose of protecting the banks of ditches and canals.

Affidavits to be filed.

Proviso.

SEC. 4. It is hereby provided that the planting of forest and shade trees, as mentioned in this Act, shall in no manner add to or increase the taxable value of said land.

Taxation not to be increased.

SEC. 5. If any person shall cut down, injure, or destroy, or carry away any tree planted or growing for use, or shade, or ornament, or any timber, rails, or wood, standing, being, or growing on the land of any other person, the party so offending shall pay to the party injured thrice the value of the property so injured, destroyed, or carried away, and shall be deemed guilty of a misdemeanor, and subject to a fine not exceeding one hundred dollars.

Injuring trees, etc., made misdemeanor.

Penalty. Punishment.

CHAP. LXXXIII.—*An Act to encourage the artificial cultivation and propagation of Fish in the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person or persons now engaged, or who shall hereafter engage in the artificial cultivation and propaga-

Artificial cultivation and propagation of fish encouraged.

Existing rights not to be interfered with.

Location to be recorded

Improvement of possessory right, amount necessary, and when to be made.

Prior right to purchase when claim is upon public land afterwards acquired by State of Nevada.

Taking of fish unlawful.

Penalty. Action, how prosecuted.

Damages to party injured.

tion of fish in the State of Nevada, shall have the right to locate, hold, and occupy a tract of land not exceeding one hundred and sixty acres of the public domain of the United States, or of the State of Nevada, including any and all streams, creeks, springs, and waters thereon, and shall have and maintain an action for the sole and uninterrupted possession thereof, subject to the conditions hereinafter set forth; *provided*, that such location or occupation shall not be made upon any portion of the public domain aforesaid which may be occupied or entered for purchase under existing laws, nor interfere in any manner with the existing rights of appropriators of the waters of any spring or other watercourse rising upon or flowing through said land.

SEC. 2. The person or persons locating any ground, rivers, creeks, ponds, or springs for the purpose of engaging in the cultivation of fish, shall, within three months from the date of commencing improvements thereon, file with the Recorder of the county in which such ground, river, creek, pond, or spring may lie in whole or in part, a statement in writing, setting forth the exterior boundaries of said claim, which said boundaries may be designated by natural or artificial objects, with a further statement that it is the intention of the parties thereto, to engage in the cultivation and propagation of fish on the premises therein described.

SEC. 3. The person or persons making locations under this Act, shall, within three months from the date of filing said statement of intention, do or cause to be done upon the land selected, labor or place improvements thereon to the amount of two hundred dollars, and from and after the filing of said notice and performance of said labor or placing of said improvements thereon, the said claimants, their heirs or assigns, shall have and maintain the exclusive right to the possession thereof.

SEC. 4. Should any claim as aforesaid be made upon any unsurveyed lands of the United States, and subsequently thereto, on survey of said lands by the General Government, shall be found to be in any section which the State of Nevada may have a right to purchase or select under any law of Congress donating lands to the State of Nevada, the claimant or claimants thereto shall have a prior right to purchase the same from the State for the period of six months from the date of such Government survey, at the rate of one dollar and twenty-five cents per acre.

SEC. 5. It shall not be lawful for any person to take fish from any of the streams, creeks, springs, or waters upon any land located or occupied in conformity with this Act, without the consent of the owner or owners thereof; and any person convicted thereof, shall be fined in the sum of five dollars and costs of prosecution, for each and every fish so taken. An action for the penalty herein mentioned may be prosecuted in any Court of competent jurisdiction, in the name of the State of Nevada, and the offender shall also be liable in damages in a civil action, for any and all damages, injury to, or interference with, the rights of any person or persons claiming under this Act.

SEC. 6. Section three, of Chapter V, of "An Act prescribing the mode of maintaining and defending possessory action

on public lands in this State," approved March ninth, eighteen hundred and sixty-five, in so far as the rights conferred by this Act may conflict, is hereby declared null and void, except so much thereof as follows, to wit: "Any person claiming any of the public lands in this State for the purpose aforesaid, shall take and subscribe his or her affidavit, * * * that to the best of his or her knowledge and belief the said lands are not claimed under any existing title," which shall apply with full force and effect.

Conflicting
Act
repealed.

SEC. 7. This Act shall take effect from and after its passage.

Act to
take effect.

CHAP. LXXXIV.—*An Act to appropriate money for the payment of certain claims against the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Controller of the State of Nevada is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of the following named persons, for the following mentioned sums of money, namely: In favor of Richard Arnold, for the sum of fifteen dollars; William Nunan, for the sum of fifteen dollars; John O'Brien, for the sum of fifteen dollars; Thomas Cavanaugh, for the sum of ten dollars; Patrick O'Conner, for the sum of fifteen dollars; Bartholomew Colgan, for the sum of fifteen dollars; M. A. Feeney, for the sum of ten dollars; E. Doherty, for the sum of ten dollars; John Kelley, for the sum of fifteen dollars; Thomas Feeney, for the sum of fifteen dollars; P. Tummy, for the sum of ten dollars; Thomas O'Harra, for the sum of ten dollars; Daniel Hanlin, for the sum of fifteen dollars; James Haitnett, for the sum of ten dollars; P. Fahay, for the sum of fifteen dollars; D. J. Ford, for the sum of twenty dollars; D. J. Mahoney, for the sum of twenty dollars; Miles Finlan, for the sum of twenty dollars; J. O. Lyman, for the sum of twenty-five dollars; J. A. Robertson, for the sum of twenty-five dollars; F. A. Marston, for the sum of twenty-five dollars; James McKay, for the sum of twenty-five dollars; C. E. Stein, for the sum of twenty-five dollars; D. McNaught, for the sum of twenty-five dollars; Charles Bailey, for the sum of twenty-five dollars; A. N. Comstock, for the sum of twenty-five dollars; Thomas Cambell, for the sum of fifteen dollars; T. W. Currier, for the sum of fifteen dollars; W. H. Curnow, for the sum of fifteen dollars; William Cocking, for the sum of twenty-five dollars; Thomas Carson, for the sum of twenty-five dollars; Joseph Demling, for the sum of twenty-five dollars; Fred. Dickman, for the sum of fifteen dollars; F. Darragh, for the sum of twenty-five dollars; George Elston, for the sum of twenty-five dollars; Peter Fitzgerald, for the sum of twenty-five dollars; John Flood, for the

Controller
of State
to draw
warrants.

Persons
and
amounts.

Warrants
paid out
of State
Prison
Fund.

Warrants
to be in full
satisfaction
of claims.

Appropri-
ations.

Act to
take effect.

sum of twenty-five dollars; W. H. Kerns, for the sum of twenty-five dollars; Samuel Murray, for the sum of twenty-five dollars; F. A. Moyer, for the sum of twenty-five dollars; Samuel Pierce, for the sum of fifteen dollars; John Rosenbrock, for the sum of twenty-five dollars; Henry Rosenbrock, for the sum of twenty-five dollars; George Sanders, for the sum of twenty-five dollars; A. J. Showers, for the sum of twenty-five dollars; Prue Locke, for the sum of fifteen dollars; J. C. Young, for the sum of fifteen dollars—payable out of any moneys in the State Prison Fund of said State not otherwise specially appropriated. And the Treasurer of said State shall pay said warrants out of said Fund, upon presentation of the same; which said amounts of money shall be paid to said persons, and received by them, respectively, in full payment and discharge of any and all claims or demands had, held, or asserted by them, or any of them, against the State of Nevada, for services rendered by them in aiding to recapture certain prisoners who escaped from the State Prison of said State, on or about the seventeenth day of September, A. D. eighteen hundred and seventy-one. And there is hereby appropriated, out of any moneys in said State Prison Fund, or hereafter to come therein, not otherwise specially appropriated, the said several sums of money hereinbefore mentioned and set forth, for the purpose of paying to the parties above named their said claims and demands, for the services rendered by them as aforesaid.

SEC. 2. This Act shall take effect from and after its passage.

CHAP. LXXXV.—*An. Act to locate the State University, and to provide for the control and maintenance of the same.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State
University,
location of.

Proviso.
Land and
building
to be
furnished
by people
of Elko.

Cost and
capacity of
building.

Teacher
to be
appointed,
when.

SECTION 1. The State University, as described in section four of Article eleven of the Constitution of Nevada, is hereby located at the Town of Elko, in the State of Nevada; *provided*, that the people of said town do, within one year from the passage hereof, convey or cause to be conveyed to the Board of Regents of the State of Nevada, in trust, for the use and benefit of said University, title to a tract of land of not less than twenty acres, eligibly located within said town, having thereon at least one building furnished and ready for occupancy, suitable for the uses of a Preparatory Department of the University, costing not less than ten thousand dollars, and adapted for the accommodation of not less than one hundred pupils.

SEC. 2. The Board of Regents, within three months after the reception of a deed, or if within railroad limits, of a bond for a deed to said tract of land, shall employ at least one duly qualified teacher, at an annual salary not to exceed twenty-four hun-

dred dollars; said teacher shall serve as Principal of the Preparatory Department of the University, and said Regents are hereby authorized to draw their order upon the State Controller quarterly for the payment of his salary, and the Controller shall draw his warrant upon the Treasurer, who shall pay the same out of any moneys to the credit of the Contingent University Fund hereinafter created.

Salary of teacher. Order of Regents upon Controller. Controller to draw warrant.

SEC. 3. The Board of Regents shall have entire control and management of the affairs of the institution hereby established. They shall, by and with the advice of the Principal, arrange a course of study to be pursued in said institution, and shall designate the text books to be employed. They shall determine, and publish throughout the State, the terms of admission to said institution; *provided*, that the course of study shall be such as is appropriate to an academic or preparatory department, that tuition shall be free, and that none shall be excluded on account of sex, race, or color.

Control and management of State University. Board of Regents to have. Terms of admission to be published.

SEC. 4. Immediate selection and sale of the seventy-two sections of land granted this State by Act of Congress, approved July fourth, eighteen hundred and sixty-six, for the establishment and maintenance of a University, is hereby ordered. The moneys arising from the sale of said lands shall be and constitute a Fund to be known as the Irreducible University Fund. Whenever there shall be a sum in said Fund sufficient for investment the Board of Regents shall direct the State Treasurer to negotiate for investment of the same in United States securities, or in bonds of this State, at the lowest purchasable rates, and the Board shall then draw their order upon the State Controller, in favor of the State Treasurer, for the amount to be invested. Said Controller shall thereupon draw his warrant as directed, and the Treasurer shall complete the purchase of the securities negotiated for by him in pursuance of this Act. The interest derived from said Fund, together with all moneys paid as interest on deferred installments on purchase of lands named in this Act which may be sold under contract as provided in section nine of an Act entitled "An Act to provide for the selection and sale of lands," etc., approved March fourth, eighteen hundred and seventy-one, shall be and constitute a Fund to be known as the Contingent University Fund.

Sale of land ordered.

Irreducible University Fund created.

Investment of Fund, when made

Interest, etc., to constitute Contingent University Fund.

SEC. 5. The necessary expenses incurred by the Board of Regents in the conduct of the University shall be passed upon by the Board of Examiners as other accounts against the State and paid from the Contingent Fund named in the preceding section, and the sum of four thousand dollars is hereby appropriated from said Fund for such purpose.

Expenses of Board of Regents.

SEC. 6. If at any time there shall not be sufficient money in the Contingent Fund for the payment of warrants which have been allowed against the same, the Controller shall cause a sum sufficient to cover the deficiency to be transferred from the General School Fund to said Contingent University Fund.

Money transferred

SEC. 7. In consideration of the conveyance of lands having thereon a building as provided in this Act, the State University, designed ultimately to embrace departments of agriculture, mechanic arts, and mining, shall be considered permanently

Permanent establishment of State University.

Lands to revert. established as herein provided, and if removed for any cause, title to the property named shall revert to the people donating the same.

Conflicting Acts repealed. SEC. 8. All Acts, and parts of Acts, conflicting with the provisions of this Act, are hereby repealed.

CHAP. LXXXVI.—*An Act to provide for the erection of a State Prison.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State Prison to be erected. SECTION 1. The Board of State Prison Commissioners are hereby authorized to purchase the necessary lands, and erect thereon a State Prison.

Capacity of prison building. SEC. 2. The plan of the Prison shall be such that when the building is completed it shall be ample for the accommodation of three hundred (300) prisoners. So much of the building as may be necessary to accommodate one hundred and twenty-five (125) prisoners to be completed as soon as practicable after the Board shall have determined to erect said Prison.

State Building Fund created. SEC. 3. For the purposes recited in the title of this Act, and for the erection of such other buildings as the State may require for State Prison purposes, a Fund is hereby created, that shall be known and designated as the State Building Fund. Into said Fund shall be transferred any surplus remaining in the "State Capitol Fund," after all the outstanding warrants against said "State Capitol Fund" shall have been fully paid. And the tax of one eighth of one per cent., heretofore levied as a "State Capitol Fund Tax," shall, after the outstanding warrants against said Fund have been paid, be continued as a "State Building Fund Tax," and the proceeds thereof be paid into said "State Building Fund." One hundred thousand dollars (\$100,000) of the first moneys coming into said "State Building Fund" are hereby appropriated for the purchase of the necessary lands, and the erection thereon of a State Prison, as provided in this Act.

Prison labor to be used. SEC. 4. The Board of State Prison Commissioners are hereby authorized and empowered to use the labor of the prisoners confined in the State Prison in the erection of the State Prison, provided for in this Act.

Claims submitted to Board of Examiners. SEC. 5. All claims under the operation of this Act shall be submitted to the State Board of Examiners, audited by the State Controller, and paid out of the "State Building Fund."

Conflicting Acts repealed. SEC. 6. All Acts, and parts of Acts, so far as they conflict with provisions of this Act, are hereby repealed.

CHAP. LXXXVII.—*An Act for the construction of fences and the planting of trees at the State Orphans' Home, in Carson.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one thousand dollars is hereby specially appropriated and set apart out of any moneys in the State Treasury not otherwise appropriated, for the purposes of this Act. Appropriation.

SEC. 2. The amount appropriated by the provisions of this Act shall be expended by, and under the direction of, the Board of Directors of the State Orphans' Home, in fencing said Home, planting fruit and ornamental trees thereon, and otherwise beautifying the same, as they in their judgment may deem expedient. Grounds of State Orphan Home to be fenced and improved.

CHAP. LXXXVIII.—*An Act for the relief of the Imperial Silver Mining Company.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Controller of the State of Nevada is hereby authorized and directed to draw his warrant upon the Treasurer of said State, in favor of the Imperial Silver Mining Company, for the sum of four hundred dollars, in legal tender notes of the United States, payable out of the School Fund of said State; and the said Treasurer is hereby authorized and directed to pay said warrant out of said Fund. Controller of State to draw warrant in favor of Imperial Silver Mining Company, on School Fund.

CHAP. LXXXIX.—*An Act prescribing an additional penalty for the non-payment of Taxes in certain cases after suit.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all suits for the collection of delinquent taxes originally brought in the District Courts, where the amount

Collection
of delin-
quent taxes
Additional
per centum
added,
when.

exceeds three hundred dollars, the complaint and summons shall demand, and the judgment shall be entered, for twenty-five per centum in addition to the tax [of] ten per centum thereon and costs, provided in the Act to provide revenue for the support of the government of the State of Nevada, and the Acts amendatory thereof; and such tax, penalty and costs, shall not be discharged, nor shall the judgment therefor be satisfied, except by the payment of the tax, original penalty, costs, and the additional penalty herein prescribed in full.

CHAP. XC.—*An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Salaries of
District
Judges.

Section Three. The salary of the Judge of the First District shall be seven thousand dollars a year; of the Second District, five thousand dollars a year, of which sum the County of Washoe shall pay twenty-one hundred dollars, the County of Ormsby twenty-one hundred dollars, and the County of Douglas eight hundred dollars; of the Third District, five thousand five hundred dollars a year, of which the County of Lyon shall pay thirty-five hundred dollars, the County of Esmeralda two thousand dollars; of the Fourth District, four thousand dollars a year; of the Fifth District, three thousand six hundred dollars a year, of which the County of Nye shall pay twenty-two hundred dollars, and the County of Churchill fourteen hundred dollars; of the Sixth District, five thousand dollars a year; of the Seventh District, three thousand dollars a year; of the Eighth District, five thousand dollars a year, from and after the first day of January, A. D. eighteen hundred and seventy-five; of the Ninth District, five thousand dollars a year. The provisions of this Act relating to the Second Judicial District, shall be in force, and take effect, from and after the first day of April, eighteen hundred and seventy-three.

CHAP. XCI.—*An Act to regulate the salaries of County Auditors.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act the Auditors of the several counties of this State shall be allowed the following monthly salaries, to wit: The Auditor of Storey County, one hundred dollars; of Ormsby County, one hundred dollars; of Esmeralda County, one hundred dollars; of Douglas County, one hundred dollars; of Lyon County, one hundred dollars; of Lander County, one hundred dollars; of Humboldt County, one hundred dollars; of Elko County, one hundred dollars; of White Pine County, one hundred dollars; of Churchill County, seventy-five dollars; of Lincoln County, one hundred dollars; of Washoe County, one hundred dollars; of Nye County, one hundred dollars; *provided*, that after the first day of January, A. D. one thousand eight hundred and seventy-five, the monthly salary of the Auditor of Washoe County shall be fifty (50) dollars, and the monthly salary of the Auditor of Nye County shall be fifty (50) dollars.

Salaries of
County
Auditors.

Proviso.

SEC. 2. All Acts, and parts of Acts, in conflict with this Act, are hereby repealed.

Conflicting
Acts
repealed.

CHAP. XCII.—*An Act to amend section three of "An Act to amend an Act entitled 'An Act supplementary to an Act entitled an Act defining the duties of State Treasurer, approved February second, eighteen hundred and sixty-six,' approved March first, eighteen hundred and sixty-nine," approved March fifth, eighteen hundred and sixty-nine.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Section Three. The State Treasurer shall securely keep in the safe and vault provided for him for that purpose, in his office at the seat of Government, all the public moneys, bonds, and securities of the State, appertaining to his office, and shall not deposit any part or portion of the same with any individual, copartnership, or corporation; nor shall he use said money, or any part thereof, or allow any one else to do so, except in the payment of bonds, or coupons, or warrants properly drawn upon him, by the State Controller.

State
Treasurer,
duties of.

CHAP. XCIII.—An Act to grant the right of way and authorizing certain persons herein named to construct a Railroad from the line of the Central Pacific Railroad to the Colorado River.

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Right of
way for
railroad.

SECTION 1. The right of way is hereby granted to H. F. Rice, J. W. Haines, W. N. Leete, M. S. Thompson, E. S. Davis, S. H. Day, Jerry Schooling, and W. W. Hobart, and their associates and assigns, to locate, build, maintain, and operate a railroad, from a point on the Central Pacific Railroad, at or near Humboldt Wells, in Elko County, on a line to be selected by survey, under and by the direction of the parties herein named, or their assigns, through the Counties of Elko, White Pine, Nye, and Lincoln, to the Colorado River, subject to the provisions of an Act entitled "An Act to provide for the incorporation of Railroad Companies and the management of the affairs thereof, and other matters relating thereto," approved March twenty-second, eighteen hundred and sixty-five, and an Act amendatory thereof, approved February ninth, eighteen hundred and seventy-one.

Provisions
of general
law made
applicable.

Survey,
when to
be made.

SEC. 2. The preliminary survey of the line of said railroad shall be commenced and completed within one year from the passage of this Act.

Termini of
road to be
designated.

SEC. 3. The parties herein named, and their associates or assigns, shall designate the place from and to which the said railroad is to be constructed, upon completion of the final survey and location of said road, as provided for in the Acts heretofore mentioned.

CHAP. XCIV.—An Act authorizing the State Treasurer to return certain vouchers to the Controller and receive credit for the same.

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Certain
vouchers in
Treasurer's
office to be
delivered to
Controller
of State.

SECTION 1. In order that the General Fund may be relieved of certain checks drawn by the First National Bank of Nevada, and received by E. Rhoades, State Treasurer, in the year eighteen hundred and sixty-nine, from the Treasurer of White Pine County, on settlements, said checks, amounting to eight hundred dollars, and now representing that amount of currency in the General Fund, although entirely worthless, the State Treasurer is hereby authorized and directed to return said checks to the State Controller, who shall receive and file the same in his office, as vouchers, thereupon drawing his warrant upon the

General Fund in favor of the State Treasurer, for the amount of eight hundred dollars, currency, and upon the return of said warrant the Controller shall credit the Treasurer with said amount.

State
Controller
to draw
warrant.

CHAP. XCV.—*An Act supplementary to an Act entitled "An Act to abolish the use of State stamps, and to provide for the settlement of outstanding stamps," approved February twenty-first, eighteen hundred and seventy-three.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All instruments required to be stamped with State revenue stamps, prior to the twenty-first day of February, A. D. eighteen hundred and seventy-three, which shall remain unstamped up to that date, shall be admissible in the Courts as evidence, in the same manner and to the same effect as if said instruments had been properly stamped at the time of their execution.

Unstamped
instrument
to be
admitted in
evidence,
when.

CHAP. XCVI.—*An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act is hereby amended so as to read as follows:

Section Five. Every person applying to be registered shall, before he shall be entitled to have his name registered, take and subscribe to the following oath or affirmation, which shall be administered by the Registering Agent; *provided*, that no elector who has taken said oath at the time of his previous registration, in this State, shall be required to do so the second time, to wit:

Qualifica-
tion of
electors.

I do solemnly swear (or affirm) that I am a citizen of the United States, that I am of the age of twenty-one years, and will have actually and not constructively resided in this State six months, and in the county thirty days, next preceding the day of the next ensuing election (or, in case of a municipal election, such length of time as may be required by the Act of

Oath.

incorporation), and that I am not registered elsewhere in this State. So help me God (or under the pains and penalties of perjury).

Form of
oath.

Whenever an oath is required by the provisions of this Act, the elector shall swear according to the form of his religious faith or belief, and in such manner as may be considered most obligatory on his conscience.

CHAP. XCVII.—*An Act authorizing the School Trustees of School District Number Ten, in the Town of Reno, Washoe County, to issue bonds for the purpose of building a school house in said school district.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

School
bonds
authorized.

SECTION 1. The Board of School Trustees of School District Number Ten, in the Town of Reno, Washoe County, are hereby authorized to issue interest-bearing bonds, payable in not exceeding five years, and for a sum not exceeding twelve thousand dollars, subject to the provisions of this Act.

School
meeting
to vote
issuance
of bonds.

SEC. 2. Whenever the Board of Trustees of the school district named in section one of this Act shall, in their judgment, deem it advisable to build a school house for said district, they may call a school meeting for the purpose of providing means for such object. Such meeting shall be called in like manner, and subject to the same provisions of law, as prevail in all cases where money is to be raised for like purposes in school districts; and if a majority of the taxpayers whose names appear on the last assessment roll of said district shall vote to carry out the recommendation of such Board of Trustees, or to issue a smaller amount of bonds than was by them named in their notification calling said meeting, then in that case the action of said meeting shall be final, and no larger amount of bonds shall be issued than is determined by said vote.

Form and
amount
of bonds.

SEC. 3. Said bonds shall be made payable to bearer, and issued in sums not less than one hundred dollars, with interest at not exceeding one per cent. per month.

CHAP. XCVIII.—*An Act to amend section six of an Act entitled "An Act defining the duties of State Treasurer," approved February second, eighteen hundred and sixty-six.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said Act is hereby amended so as to read as follows:

Section Six. The books, papers, and transactions of his office shall be open at all times for the inspection of the Governor, Controller, Board of Examiners, of either House of the Legislature, or of any committee thereof, or person authorized by law. He shall report to the Controller of State, on or before the tenth of each month, the complete operations of the Treasury for the preceding month, specifying the amount received and from what sources; the amounts expended in the redemption of bonds, warrants, coupons for interest, etc., and the balance of cash on hand in the Treasury to the credit of the various Funds. For any failure (except it be unavoidable) to comply with the provisions of this section, the Treasurer shall forfeit his office, and it shall be the duty of the Governor to declare the same vacant, and appoint a successor.

Books and papers open to inspection.
Report to Controller of State.
Penalty for failure to report.

CHAP. XCIX.—*An Act to provide for printing the annual reports of the State Treasurer and State Controller.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Treasurer and State Controller shall transmit to the State Printer the copy of their annual reports, now authorized by law, as soon as prepared after the close of each fiscal year, and the State Printer shall print, in pamphlet form, twelve hundred copies of the same.

Reports of Controller of State and State Treasurer to be printed.

SEC. 2. The reports for the years that the Legislature is in session shall be distributed by the Treasurer and Controller to the several State and county officers and to the members of the Legislature, reserving enough for the use of the next ensuing Legislature and to exchange with the officers of other States and Territories.

Reports to be distributed.
Number to be reserved

SEC. 3. The reports for the years preceding that in which the Legislature convenes shall be distributed as follows: three hundred copies of their several reports to the Treasurer and Controller; fifty copies of each report to be deposited in the State Library; three hundred copies of each report for the use

Distribution of reports of non-Legislature years.

of the members of the Senate, and five hundred and fifty copies of each report for the use of the members of the Assembly.

CHAP. C.—*An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of said county," approved February fourth, eighteen hundred and sixty-nine.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of the above entitled Act is hereby amended so as to read as follows:

<p>Redemption Fund created.</p> <p>Additional tax authorized.</p> <p>Portion of other tax to be placed in Fund.</p> <p>Assessment, levying, and collection of the tax authorized.</p>	<p>Section Two. The Board of County Commissioners of Lyon County are hereby authorized and required, from and after the passage of this Act, to create in the County Treasury a Fund, to be known as the Redemption Fund of Lyon County, by the additional levy, to the amount of tax already allowed by law, to be levied for general county purposes, of twenty cents on each one hundred dollars valuation of the taxable property of said county; and the setting aside from the amount of tax, now by law authorized, twenty cents on each one hundred dollars valuation of the taxable property of said county, until the indebtedness hereinafter provided for, to wit, thirty-two thousand dollars, as principal, and no more, is fully paid. Said tax shall be levied, assessed, and collected, at the same time, and in like manner, as other State and county taxes; and the amount of tax so levied, assessed, and collected, shall be placed in said "Redemption Fund," as soon as paid into said Treasury. The moneys placed in the "Redemption Fund," created by this Act, shall be disbursed only as hereinafter provided.</p>
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CHAP. CI.—*An Act for the relief of Mrs. Amanda M. Parker, widow of Ozro H. Parker, deceased.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

<p>Appropriation.</p>	<p>SECTION 1. The sum of twelve hundred dollars is hereby appropriated out of any moneys in the General Fund of the State, not otherwise appropriated, to pay Mrs. Amanda M. Parker, widow and sole devisee of Ozro H. Parker, deceased,</p>
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in full of balance due him from the State, for services as Controller to draw warrant.
Porter, in and about the State Capitol, in the years eighteen hundred and sixty-nine and eighteen hundred and seventy; and the Controller is hereby authorized and directed to draw his warrant on the State Treasurer for the same.

CHAP. CII.—*An Act to prohibit the sale of intoxicating drinks to minors.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person who, without a written or verbal order from the parents or guardians, sells or gives to another under the age of twenty-one years, to be by them drank at that or any future time, as a beverage, any intoxicating drink or drinks, is guilty of a misdemeanor, and punishable by a fine not less than twenty-five dollars and not more than one hundred dollars, or by imprisonment in the County Jail for a term not to exceed fifty days, or by both such fine and imprisonment; *provided*, that nothing in this Act shall be deemed to apply to parents of such minors, or guardians of their wards, or physicians.

Sale of intoxicating drinks to minors made a misdemeanor. Punishment. Provide as to parents, guardians, or physicians.

SEC. 2. All moneys collected for fines under the provisions of this Act, shall, after deducting costs of suit, be paid over to the County Treasurer, and by him paid into the School Fund of his county.

Fines to be paid into County School Fund.

CHAP. CIII.—*An Act relating to the duties of the Secretary of State.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Secretary of State of the State of Nevada shall, hereafter, prepare and render a biennial report to the Governor of Nevada, in like manner as the State Controller and Treasurer, in which report shall be included an exhibit, showing in detail all expenditures made by him or under his direction; all moneys received by him, from whatever source, and the disposition made of the same. Said report shall also include all matters relating to the general business of the office of Secretary of State during the period embraced in said report.

Secretary of State, biennial report.

Statutes
and
Nevada
Reports
distributed

He shall, also, in said report give an itemized account of all statutes and Nevada reports distributed by him under the provisions of law, stating to whom such distribution is made and the amount of money received from the sale of any such statutes and reports, and the number of each year's issue remaining on hand.

Expendi-
tures to be
audited by
Board of
Examiners

SEC. 2. All expenditures made by or under the directions of the Secretary of State shall be audited by the State Board of Examiners, and no warrant shall be issued by the State Controller for payment of such expenditures unless the same shall have been approved and allowed by said Board of Examiners.

Act to take
effect.

SEC. 3. This Act shall take effect from and after its passage.

CHAP. CIV.—*An Act to provide for the destruction of noxious animals within this State.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bounties
for destruc-
tion of
noxious
animals.

SECTION 1. If any person shall take and kill, within this State, any of the following noxious animals, he shall be entitled to receive, out of the Treasury of the county within which such noxious animal or animals shall have been taken, the following bounties, to wit: for every coyote or prairie wolf, fifty cents; for every lynx or wild cat, two dollars; for every California lion, two dollars; all of which bounties shall be subject to the provisions of this Act.

Amounts.

Scalps or
skins to be
produced.

SEC. 2. Every person intending to apply for such bounty shall take the scalp, with the ears, connected thereto, or the skin entire, of the noxious animal or animals killed by him, to some Justice of the Peace of the county within which such noxious animal or animals shall have been taken.

Oath and
examina-
tion.

SEC. 3. The person claiming such bounty shall then be sworn by such Justice, and state on oath the time and place when and where every noxious animal for which a bounty is claimed by him was taken and killed, and shall also submit to such further examination, on oath, concerning the taking and killing of such noxious animal or animals, as the Justice may require.

Justice of
the Peace,
duties of.

SEC. 4. If it shall appear to the Justice that the noxious animal or animals have been taken and killed within the county, he shall cut off the ears from the scalp and destroy the said ears, and give to the person so sworn a certificate stating the number of scalps deposited with and destroyed by him. The said Justice shall receive for each oath administered by him twenty-five cents, and for each certificate, twenty-five cents, the same to be allowed out of the General Fund of the county.

County
Commissioners to
audit and
allow
claims.

SEC. 5. Upon the presentation to the Board of Commissioners of the proper county of any such certificate they are hereby

authorized and directed to allow the amount due, under the provisions of this Act, to the person therein named, out of the General Fund of such county.

SEC. 6. This Act shall take effect and be in force from and after the first day of March, eighteen hundred and seventy-three. Act to take effect.

CHAP. CV.—*An Act to provide for the payment of the expense of enrolling for the sixth session of the Legislature of the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Controller is hereby authorized and required to draw his warrant on the State Treasurer, payable out of any money in the General Fund not otherwise specially appropriated, for all expenses of enrolling done during and for the sixth session of the Nevada Legislature, after the same shall have been duly certified by the Secretary of State, and approved by the Board of Examiners; and the State Treasurer is hereby required to pay the same. Controller to draw warrant for enrolling.

CHAP. CVI.—*An Act authorizing the canceling of old unpaid warrants.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. After the expiration of three years from the date of issuance by the State Controller, all warrants that have been or may hereafter be issued, if not presented to and paid by the Treasurer on or before the expiration of three years from the issuance thereof, whether outstanding or remaining in the office of the Controller uncalled for, shall become void; *provided, however,* that the person or persons in whose favor such warrant or warrants may have been drawn, shall be permitted to renew his, her, or their claim against the State to the amount of such warrant or warrants canceled, by the presentation of the same to any succeeding Legislature, to be acted upon in the same manner as deficiency claims. Outstanding and unpaid warrants, when canceled. Claims may be renewed.

SEC. 2. The State Controller is hereby authorized and directed to cancel and file as vouchers all such warrants as he may find remaining in his office uncalled for. He shall, at the time of canceling such warrants, make a note to that effect Canceled warrants to be filed.

Note on
register of
warrants.

upon the margin of his warrant register, opposite where such warrant or warrants are registered; and warrants that are still outstanding, and which become void under this Act, he shall note the same upon the margin of his warrant register as above, giving the date such warrant or warrants become void. He shall, at the time that such warrants become void, certify the same to the State Treasurer, who shall thereupon make similar notes upon the margin of his warrant register, and he shall thereafter refuse to pay such warrants if presented.

Controller
to certify
to State
Treasurer,
etc.

Treasurer
to transfer
Funds.

SEC. 3. Whenever the Controller shall certify to the Treasurer, as directed in section two of this Act, he shall at the same time direct the Treasurer to transfer from the Fund or Funds upon which such warrant or warrants were drawn to the General Fund an amount equivalent to such warrant or warrants, as the case may be; and whenever said person or persons in favor of whom such warrant or warrants were drawn shall renew his, her, or their claim against the State, the same shall be paid out of the General Fund.

Renewed
claims to
be paid out
of General
Fund.

CHAP. CVII.—*An Act to provide for the removal of the county seat of Esmeralda County.*

[Approved March 7, 1873.]

Preamble.
Appropriation
by
United
States for
boundary
survey.

WHEREAS, An appropriation has been made by the Congress of the United States for the survey of the boundary line between the States of Nevada and California, and a contract for the survey of such line has been awarded by the honorable Commissioner of the United States General Land Office; and, whereas, such survey when completed by the contractor and approved by said Commissioner, will legally establish such boundary line between said States; and, whereas, the Town of Aurora (the present county seat of Esmeralda County), is situated near the line between said States, and may be determined by such survey to be in the State of California; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

County
seat of
Esmeralda
County..

Change of
county
seat.

SECTION 1. If the official Government survey of the boundary line between the States of Nevada and California (when completed and approved) shall be established so as to prove the Court House at Aurora to be in the State of California, then it shall be the duty of the County Commissioners of such county to select a suitable place, within such Esmeralda County, as a county seat, and to cause to be removed thereto all public records, and all movable personal property belonging to such county, except such property as such Commissioners may deem it for the interest of the county to sell. Within twenty days from the selection of such county seat, all officers of such county who are required by law to reside at the county seat shall remove their records to the place designated by the

County Commissioners, at which place such Commissioners shall cause to be provided, at the expense of the court, Court-rooms and offices necessary for the proper administration of the affairs of the county; and the place so selected by such Commissioners shall remain the county seat of such county until some other place shall be selected as a county seat, in accordance with law.

SEC. 2. If any vacancy shall exist in the Board of Commissioners of such county, at the time when such survey shall be legally established, the County Clerk of such county shall officially notify the Governor of such vacancy, who shall forthwith appoint some suitable person to fill such vacancy, and no order for the removal of said county seat shall be made until such vacancy shall have been filled.

Vacancy
in Board
of County
Commissioners.

CHAP. CVIII.—*An Act supplementary to an Act entitled "An Act to create certain Legislative Funds," approved January fifteenth, eighteen hundred and seventy-three.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All claims properly payable out of the Legislative Fund, of which this Act is supplementary, and which cannot be paid from said Fund on account of the exhaustion thereof, shall be registered upon and be paid out of the General Fund.

Certain
legislative
claims to
be paid
out of
General
Fund.

SEC. 2. The State Controller is hereby authorized and directed to draw his warrant upon said General Fund for such claims in the order of their presentation, and the State Treasurer is authorized and directed to pay the same in their proper order.

Controller
of State
to draw
warrant.

SEC. 3. The sum of four thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the claims mentioned in section first of this Act.

Appropriation.

CHAP. CIX.—*An Act to provide for the government of the State Prison of the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The government of the State Prison of this State shall be under the control of the Board of State Prison

Government
of State
Prison.

Board of
State
Prison
Commissioners,
powers of.

Commissioners, as named in section twenty-one of Article five of the Constitution of this State, who shall have full and exclusive control of, and over, all the State Prison grounds, buildings, prisoners, Prison labor, Prison property, and all other things belonging or appertaining to said Prison, and shall establish such rules, regulations, and by-laws, for the government and regulation thereof, as they may deem proper, and shall, from time to time, visit the Prison, examine into its affairs and government, and, from personal observation and conference with the officers, change, alter, or abolish the same, as, in their judgment, may be found necessary for the well-being thereof.

Officers of
Board.
Quorum.

SEC. 2. The Governor shall be the President, and the Secretary of State Secretary of the Board; and any two thereof shall be a quorum, with full power to transact any business that may be required of such Board.

Secretary
to keep
record.

SEC. 3. It shall be the duty of the Secretary to keep or cause to be kept, a full and complete account, in a book, or books, to be kept for that purpose, of all the transactions and proceedings of the Board, wherein shall be recorded all rules, regulations, and by-laws for the government of the Prison.

Warden
of State
Prison,
when
selected.

SEC. 4. The State Prison Commissioners shall meet on the first Monday of April, A. D. eighteen hundred and seventy-three, for the purpose of selecting a Warden of the State Prison; and the person so selected shall be the chief executive officer of said Prison, subject at all times to the order and direction of said Board, who shall have power at any time to discharge and remove said Warden, whenever, in the judgment of said Board, it shall be deemed proper and for the interest of the State. The Warden so selected shall receive a salary not to exceed three thousand dollars per annum, and shall perform the duties hereinafter specified.

Salary of
Warden.

Board of
Commissioners.

Warden,
duties of.

Record.

Monthly
report.

Commit-
ments.

Mileage of
Sheriffs.

Wardens,
residence of

Monthly
estimates.

Board
to furnish
supplies.

SEC. 5. The Board of Commissioners shall appoint all necessary help, and have the general superintendence of the business of the Prison and Prison labor, and shall direct the Warden thereof to keep, or cause to be kept, a book, wherein shall be recorded the name, age, sex, occupation, place of birth, where sent from, the crime charged, date of incarceration, and expiration of the term for which the prisoners therein confined were sentenced, and shall make out a correct monthly report of the same, and file such report with the Secretary of the Board; and shall securely and carefully file in his office all commitments of prisoners that may be sent to the State Prison, and keep, or cause to be kept, a correct account, and certify any mileage that may be due to any Sheriff or deputy for conveying prisoners to the State Prison.

SEC. 6. The Warden shall reside at the State Prison, and shall, within five days before the expiration of each month, make out a complete statement of the probable or estimated amount of clothing, provisions, medicines, and all other stores and necessaries, and character and quality of the same, and make a requisition upon the Commissioners; and they shall, as soon thereafter as possible, furnish, or cause to be furnished, the articles, provisions, or stores thus required, or so much thereof as they may deem necessary for the use of the Prison

during the ensuing month; *provided*, that no supplies shall be purchased or articles furnished the Prison at a greater price than the usual market rates for such articles; *and, provided further*, that nothing herein contained shall be so construed as to prevent the Commissioners from furnishing any necessary article, at any time, not enumerated in the monthly requisition of the Warden, or from purchasing or contracting for a greater than a monthly supply of any article used in said Prison, when deemed for the best interest of the State. Proviso.

SEC. 7. All accounts for provisions, clothing, medicines, fuel, lights, or other supplies or stores furnished to the State Prison, as prescribed in the preceding section, shall be presented to the Warden, and if the articles therein enumerated shall have been received he shall so certify, and the account so certified shall be delivered to the Secretary of the Board, and if the account be correct and the articles therein named were purchased or ordered by the Board, they shall audit and allow the claim. All claims for salaries, repairs, buildings, or labor shall be certified to by the Warden, presented, allowed, and paid as other indebtedness against the State Prison. Accounts to be certified by Warden.

SEC. 8. The Board of Commissioners may, whenever in their judgment it would be for the best interest of the State, advertise for sealed proposals for the furnishing of supplies to the State Prison. Notice of the time and place of the letting of each contract shall be given for at least two consecutive weeks, in some newspaper published within this State. Such notice shall state the character, quality, and quantity of the supplies required, and any person may bid for the furnishing of all or any part of the articles enumerated in the notice; *provided*, that no contract shall be for furnishing more than one year's supplies, as estimated by the Warden. Sealed proposals for furnishing supplies. Notice.

SEC. 9. The Board of Commissioners may, in their discretion, cause the prisoners, or any number of them, to be employed in any mechanical pursuits and at hard labor, and furnish such convicts thus employed with any material that may be deemed necessary, in the same manner as is provided for the furnishing of supplies and stores to the State Prison, and they shall, in all respects, have the exclusive control of the employment of the convicts, and may from time to time employ them in such manner as, in their opinion, will best subserve the interest of the State and welfare of the prisoners. Labor of convicts.

SEC. 10. If, at any time, the Board of Commissioners be of the opinion that it would be to the interest of the State to employ any portion of the prisoners without the walls or inclosures of the State Prison, either in improvement of the public grounds or buildings, or for hire upon any private works where they may be profitably employed, within a reasonable distance from the Prison, they shall in that case direct the Warden accordingly, in writing, and cause a record of such order to be entered at length on the records of the Board. Employment of prisoners away from prison, power of Board over.

SEC. 11. The Warden and officers of the Prison shall incur no forfeiture for the escape of any convict employed without the walls or inclosures of the Prison by order of the Commissioners, or going to or returning from such employment, unless Escape of convict when employed away from prison.

such escape should arise from neglect or violation of law, or the rules, regulations, or by-laws of the Commissioners.

Prison
extended
over places
of labor.

SEC. 12. The State Prison is hereby declared to extend to and over any place or places of employment of the convicts without the walls or inclosures of the Prison, at which convicts may be employed, as provided in section nine of this Act.

Moneys
received
for prison
labor or
material to
be paid into
Prison
Fund.

SEC. 13. All sums that are now or may hereafter become due to the State for any manufactured article sold, or for labor performed, either within or without the Prison walls or inclosures, shall be certified to under oath by the Warden to the Board of Commissioners, who shall receive and receipt for the same; and all moneys thus received shall be paid into the State Treasury, and the Treasurer shall place the same to the credit of the State Prison Fund, and the Secretary of said Board shall make a report thereof to the Controller, at least once in each quarter.

Secretary
to report to
Controller.

Action for
moneys due
for prison
labor or
material.

SEC. 14. The Board of Commissioners, or either of them, are hereby authorized to commence and maintain an action in their or his own name, for the collection of any debt due, or that may become due, from any person or persons, for any manufactured article sold, labor performed by convicts, for the enforcement of any contracts made by the Commissioners, or damages for the non-fulfillment of any contract; such suits to be commenced and maintained as provided by law in other cases.

Inspection
of books
and papers.

SEC. 15. All books and papers kept by or under the direction of the Secretary of the Board and the Warden of the State Prison, shall, at all times, on all legal days, be open to the inspection of the Commissioners, all State officers, members of the Legislature, and the Sheriffs of the several counties of this State; and shall, at the expiration of their term of office, be delivered over to their successors.

Divine
service
at prison.

Proviso.

Bibles,
etc., to be
furnished.

SEC. 16. It shall be the duty of the Commissioners to provide for the holding of divine service in the State Prison on each Sabbath day, and for that purpose may secure the services of one or more ministers of the Gospel; *provided*, the expense thus incurred shall not exceed the sum of five hundred and twenty dollars per annum. They shall also furnish each convict with a copy of the Bible, and such other books and papers as may be deemed for the well-being of the prisoners.

To receive
United
States
criminals.

Expense of
United
States
criminals.

Rules and
regulations
of prison.

SEC. 17. The Commissioners and the Warden of the State Prison are hereby required to receive all criminals sentenced to the State Prison by the authorities of the United States, and to keep them at hard labor or in solitary confinement, agreeably to the order of the Court pronouncing such sentence, until legally discharged therefrom; and the Warden shall certify to the Board the expense of keeping all convicts thus sentenced, and said Board shall certify the same to the State Controller.

SEC. 18. The Board of Commissioners shall, from time to time, cause to be placed in some conspicuous place or places about the Prison, so much of the laws of the State, and the rules, regulations, and by-laws of the State Prison, as relates to the intercourse between visitors to the Prison and the prisoners therein confined.

SEC. 19. Any person who shall violate any of the rules, regulations, or by-laws of the Prison, as adopted and published

by the State Prison Commissioners, shall be subject to such penalties as may be prescribed by the Commissioners, and proceeded against in such manner as may be prescribed by law and the rules of said Commissioners; *provided*, that no barbarous punishments, by whipping, showering, or otherwise, shall be prescribed by such Board of Commissioners; nor shall convicts, as punishment, be deprived of regular rations of food, and at the same time compelled to work the usual number of hours per day.

Penalties for violation of rules

Cruel and unusual punishments prohibited.

SEC. 20. The Board of Commissioners are hereby authorized and required to grant to any convict confined in the State Prison, who shall well behave himself, and who shall perform regular labor during good health, either within or without the State Prison inclosures, a credit of five days for each month of such regular work and good behavior; such credit to be computed in favor of any such convict as a commutation of sentence, and to be deducted from the entire term of penal servitude to which such convict shall have been sentenced; *provided*, that said rule of commutation shall be so applied that the five days of credit thus earned or allowed shall be forfeited by any refusal to labor, breach of the Prison rules, or other misconduct, as may be hereafter prescribed by the Commissioners, during the month next succeeding that in which such credit may have been allowed.

Commutation of sentence upon good behavior.

Forfeiture of commutation.

SEC. 21. The Board of Commissioners shall make such regulations as may be necessary to comply with the provisions of the preceding section of this Act, and shall establish a scale or rate of debits and credits for meritorious conduct or misconduct, which shall accompany the rules of the Prison; and the Warden shall keep, or cause to be kept, a book, in which shall be entered up at the end of each month the result of credits or debits, to which each convict may be entitled, and report the same to the Governor for the use and benefit of the pardoning Board; and said Board shall take into consideration all debits and credits thus furnished, while considering upon application for pardons.

Board to make rules and regulations.

Debits and credits for conduct to be reported to Governor

SEC. 22. The Warden shall, before entering upon the discharge of his duties as such officer, execute a bond in such sum as the Board of Commissioners shall designate; and said Board shall have the right at any time to require of such Warden a new or additional bond for the faithful discharge of his duties, which bond shall be given to the State of Nevada, approved by the Board of Commissioners, and filed with the Secretary of State.

Warden to give bond.

SEC. 23. An Act entitled "An Act to provide for the government of the State Prison of the State of Nevada," approved March fourth, eighteen hundred and sixty-five, and an Act entitled "An Act to amend an Act entitled 'An Act to provide for the government of the State Prison of the State of Nevada,' approved March fourth, eighteen hundred and sixty-five," approved March thirteenth, eighteen hundred and sixty-seven, and all Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed; *provided*, nothing in this Act contained shall be so construed as to in any manner interfere with, or deprive

Acts repealed.

Compensation of present Warden.

Appropriation for salary of Lieutenant Governor, etc.

Controller to draw warrant.

Act to take effect.

the present ex officio Warden of the compensation as named in section twenty-five of the Act hereby repealed, during the term for which he has been elected Lieutenant Governor of this State. And the sum of eight thousand (\$8,000) dollars is hereby appropriated out of any money coming into the General Fund, not otherwise appropriated, for the payment of the salary of the Lieutenant Governor, for house rent, furniture, and the necessary provisions for his table; and the Controller is hereby authorized and directed to draw his warrant in favor of the said Lieutenant Governor for the said amount at the same time and in the same manner as warrants are drawn in favor of all other State officers, and the State Treasurer is hereby directed to pay the same.

SEC. 24. This Act shall take effect from and after its passage.

CHAP. CX.—An Act to prohibit lotteries.

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Lotteries defined.

SECTION 1. A lottery is any scheme for the disposal or distribution of property, by chance, among persons who have paid or promised to pay any valuable consideration for the chance of obtaining such property, or a portion of it, or for any share or any interest in such property upon any agreement, understanding, or expectation that it is to be distributed or disposed of by lot or chance, whether called a lottery, raffle, or gift enterprise, or by whatever name the same may be known.

Drawing of lottery a misdemeanor.

SEC. 2. Every person who contrives, prepares, sets up, proposes, or draws any lottery, is guilty of a misdemeanor.

Selling, etc., of lottery ticket a misdemeanor.

SEC. 3. Every person who sells, gives, or in any manner whatever furnishes or transfers to or for any other person any ticket, chance, share, or interest, or any paper, certificate or instrument purporting or understood to be or to represent any ticket, chance, share, or interest in or depending upon the event of any lottery, is guilty of a misdemeanor.

Assisting in drawing lottery, etc., a misdemeanor.

SEC. 4. Every person who aids or assists, either by printing, writing, advertising, publishing, or otherwise, in setting up, managing, or drawing any lottery, or in selling or disposing of any ticket, chance, or share therein, is guilty of a misdemeanor.

Advertising and keeping of lottery office a misdemeanor.

SEC. 5. Every person who opens, sets up, or keeps by himself or by any other person, any office or other place for the sale of or for registering the number of any ticket in any lottery, or who by printing, writing, or otherwise advertises or publishes the setting up, opening, or using of any such office, is guilty of a misdemeanor.

SEC. 6. Every person who insures or receives any consideration for insuring for or against the drawing of any ticket in any lottery whatever, whether drawn or to be drawn within

this State or not, or who receives any valuable consideration upon any agreement to repay any sum or deliver the same, or any other property; if any lottery ticket or number of any ticket in any lottery shall prove fortunate or unfortunate, or shall be drawn or not be drawn at any particular time or in any particular order, or who promises or agrees to pay any sum of money, or to deliver any goods, things in action or property, or to forbear to do anything for the benefit of any person, with or without consideration, upon any event or contingency dependent upon the drawing of any ticket in any lottery, or who publishes any notice or proposal of any of the purposes aforesaid, is guilty of a misdemeanor.

Dealer
in lottery
policies or
insurances
guilty of
misdemeanor.

SEC. 7. All moneys and property offered for sale or distribution in violation of any of the provisions of this Act are forfeited to the State, and may be recovered by information filed or by an action brought by the Attorney General, or by any District Attorney, in the name of the State. Upon the filing of the information or complaint, the Clerk of the Court, or if the suit be in a Justice's Court, the Justice must issue an attachment against the property mentioned in the complaint or information, which attachment has the same force and effect against such property, and is issued in the same manner as attachments from the District Courts in civil cases.

Lottery
moneys
and
property
forfeited
to State.

Action for
forfeiture.

SEC. 8. Every person who lets or permits to be used any building or vessel, or any portion thereof, knowing that it is to be used for setting up, managing, or drawing any lottery, or for the purpose of selling or disposing of lottery tickets, is guilty of a misdemeanor.

Letting of
building,
etc., for
lottery
purposes,
a misdemeanor.

SEC. 9. Every offense declared to be a misdemeanor by this Act shall be punishable by a fine in any sum not exceeding five hundred dollars, or by imprisonment in the County Jail for any term not exceeding six months, or by both such fine and imprisonment.

Misdemeanor,
how
punished.

SEC. 10. This Act shall take effect and be in force from and after the first day of January, one thousand eight hundred and seventy-four.

Act to take
effect.

CHAP. CXI.—*An Act providing for the location and taxation of borax and soda mines and claims.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The ownership of, or claim to, or possession of, or right of possession to, any lands in this State, containing and held for the purpose of obtaining borax or soda, shall be assessed, annually, for taxation, for State and county purposes, at not exceeding five dollars per acre. The annual payment of said taxes, and the compliance with the provisions of an Act entitled "An Act to provide for the location of lands contain-

Assessment
and
taxation of
borax and
soda lands.

Title.	ing salt," approved February twenty-fourth, eighteen hundred and sixty-five, shall be held as a recognition on the part of the State of the validity of said ownership of, or claim to, or possession of, or right of possession to, said lands; <i>provided</i> , that
Tax on net proceeds.	where borax and soda mines and claims are being worked for borate of soda, borate of lime, boracic acid, or carbonate of soda, then the net proceeds thereof shall be taxed. In the event that the tax on such net proceeds shall equal or exceed in amount what would be derived from said mines or claims, taxing them at five dollars per acre, as aforesaid; and when the net proceeds are taxed, the ownership of, claim to, possession of, or right of possession to, the said lands, shall not be taxed.
Acts made applicable.	SEC. 2. Sections two, three, four, five, six, seven, eight, nine, and ten of an Act entitled "An Act providing for the taxation of the net proceeds of mines," approved February twenty-eighth, eighteen hundred and seventy-one, shall be and are hereby made applicable as to time and manner of assessing and collecting the revenue derived from the net proceeds of borax and soda mines and claims.
Collection of tax on net proceeds of borax and soda lands.	SEC. 3. The officers whose duty it is to enforce the provisions of "An Act providing for the taxation of the net proceeds of mines" (referred to in section two of this Act), shall enforce the provisions of this Act, so far as it relates to the taxation of the net proceeds of borax and soda mines and claims, and shall receive the same compensation as provided in said Act.
Controller to prepare instructions, etc.	SEC. 4. The State Controller is hereby authorized and directed to prepare and furnish the necessary blanks and instructions to carry this Act into effect.

CHAP. CXII.—*An Act for the relief of White Pine County.*

[Approved March 7, 1873.]

Preamble. Defaultion of County Treasurer.	WHEREAS, Lewis Cook, formerly County Treasurer of the County of White Pine, became a defaulter in his said office, prior to the thirty-first day of December, A. D. eighteen hundred and seventy, and thereafter an action was commenced in the District Court of the Eighth Judicial District, against the said defaulting Treasurer, and the sureties on his official bond, to recover the moneys in which he had made default, and remaining unpaid to the State and county; and, in consequence of the insolvency of a large number of said sureties, it was deemed expedient to compromise and settle said action, by accepting from said sureties a part of the sums of moneys in which said Treasurer had made default, being less than the moneys to which said county was entitled for its proportion from the said Treasurer, and the said action was thereupon in said District Court fully settled, and compromised, and dismissed, as to the sureties who paid said moneys; therefore,
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The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The moneys paid over to County Treasurer of the County of White Pine, or deposited with him, received from the sureties of Lewis Cook, defaulting Treasurer of said county, are hereby directed and required to be carried into the several Funds of the said county, to be held and accounted for as other moneys arising from taxes on real and personal property within said county, and the State does hereby release all claims to said moneys and every part thereof.

Moneys collected from the sureties of Lewis Cook, defaulting County Treasurer, to be paid into the proper Funds. Claim of State thereto released.

CHAP. CXIII.—*An Act to define and establish the boundary line between Humboldt and Lander Counties.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The boundary line between Humboldt and Lander Counties is hereby defined and established as follows, to wit: Beginning at the northwest corner of Lander County and running due south on the present line between Humboldt and Lander Counties, to a point due west of Battle Mountain Station; thence due west twelve miles; thence in a direct line to the present northeast corner of Churchill County.

Boundary line between Humboldt and Lander Counties established

CHAP. CXIV.—*An Act concerning Vagrants and Vagrancy.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person (except Indians) without visible means of living, who has the physical ability to work, and who does not, for the space of ten days, make proper inquiry for, and use due diligence, to seek employment, nor labor, when employment is offered him; every healthy beggar who solicits alms as a business; every person who roams about from place to place, without any lawful business; every idle or dissolute person, or associate of known thieves, who wanders about the streets at late or unusual hours of the night, or who lodges in any barn, shed, shop, outhouse, or place other than such as is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof; every person who

Vagrants, who are.

LAWS OF NEVADA,

frequents gambling rooms, not being employed therein as an attaché, "check guerrilla," i. e., one who frequents gambling rooms, and solicits money, or the checks used therein to represent money, from the proprietors, bystanders, or betters, and who has no other means of living other than the money obtained thereby; every lewd and dissolute male person who lives in and about houses of ill-fame; and every common drunkard, is a vagrant, and punishable by imprisonment in the County Jail not exceeding ninety days.

Punish-
ment.

Convicted
vagrant
required
to labor
on public
works.

SEC. 2. Every person convicted under the preceding section may be required, by special or general order of the Board of County Commissioners, to perform labor on the public works or ways in the county. Where a conviction is had under the provisions of this Act the District Attorney shall be entitled to a fee of ten dollars.

Act to take
effect.

SEC. 3. This Act shall take effect and be in force on and after its passage.

CHAP. CXV.—*An Act to provide for the allotment of Senators of the State of Nevada.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Allotment
of Senators,
how and
when made

SECTION 1. The Senate shall, in the case of any county in this State which shall, by law, be entitled to two Senators, where such county shall have been created and organized since the adoption of the Constitution of the State of Nevada, at such time as the Senate shall, by resolution, direct, proceed to divide the Senators by lot into two classes; *provided*, that this Act shall not apply to any county, the representation of which, in the Senate, shall have been, by an Act of the Legislature, divided into terms of two and four years.

Allotment,
how made.

SEC. 2. Such allotment shall be as follows: Two tickets, not distinguishable from each other, by reason of any difference in size, form, or color, shall be prepared and placed in a box, upon one of which tickets shall be written the words "First class," and upon the other the words "Second class." The roll of Senators from such counties shall be called in alphabetical order; and the President of the Senate shall appoint a Page, to be blind-folded, who shall draw from a box, to be prepared for that purpose, one of the tickets, as each member's name is called; and the words upon the ticket so drawn shall designate the class to which each Senator shall belong. The seats of the Senators of the first class shall be vacated on the day succeeding the general election, four years after such Senator shall have been elected; and the seats of the Senators of the second class shall be vacated on the day succeeding the general election, two years after such Senator shall have been elected.

Term of
Senators of
first class.
Term of
Senators of
second
class.

CHAP. CXVI.—*An Act to amend section twelve of an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March first, eighteen hundred and sixty-six.*

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twelve of the said Act is hereby amended so as to read as follows:

Section Twelve. The County Auditors of the several counties of this State shall, on the first Monday of each month, transmit a statement to the Controller of State of all State moneys in the respective County Treasuries, and from what source derived, and the Treasurers of the respective counties shall at all times hold themselves in readiness to settle and pay all moneys in their hands belonging to the State, whenever required so to do by an order signed by the State Controller and State Treasurer; and the Controller and Treasurer are hereby authorized to draw such order whenever they deem it proper. At the time the County Treasurer of any county shall pay over to the State Treasurer moneys required to be paid by the order of the Treasurer and Controller, it shall be the duty of such County Treasurer to deliver to the Controller a statement showing the amount so paid. The County Treasurer shall, on the second Mondays of June and December of each year, settle in full with the Controller of State, and send, in such manner as he shall designate, to the Treasurer of State, all funds which shall have come into their hands as County Treasurers for the use of and benefit of the State, taking therefor a receipt from the Treasurer of State, which receipt he shall cause to be filed with the Controller. Before making payment, each County Treasurer shall transmit to the Controller of State, by mail or otherwise, a report from the County Auditor, together with a duplicate thereof, stating specially the total amount collected and the amount due the State from each particular source of revenue, the original of which shall be filed with the Controller of State, who shall enter upon the same, and also upon the duplicate, the cash paid the Treasurer of State and the amount of expenses allowed. The County Treasurer shall thereafter file the duplicate report with the County Auditor of his county, whereupon the Auditor shall balance the Treasurer's account; and it shall be the duty of the Auditor to furnish the County Treasurer with the report which such Treasurer is required to produce in making his settlement with the State.

County Auditors to transmit statement to Controller.

County Treasurers to pay over State moneys on order, etc.

County Treasurer's statement to Controller, semi-annual settlement, etc.

Report of County Auditor transmitted to State Controller by County Treasurer. Controller to file report.

Auditor to file duplicate.

CHAP. CXVII.—An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports.

[Approved March 7, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation to publish Vols. VIII and IX of Supreme Court Reports.

SECTION 1. There is hereby appropriated the sum of forty-five hundred dollars, in gold coin, out of any moneys in the State Treasury not otherwise specifically appropriated, for the preparation and publication of one thousand copies of the eighth volume of the Nevada Reports; and, also, a like sum is hereby appropriated as aforesaid for the preparation and publication of one thousand copies of the ninth volume of said Reports; and on presentation of the proper evidence of acceptance of either volume of said Nevada Reports by the Judges of the Supreme Court, or a majority of them, the Controller of State shall draw his warrant on the Treasurer in favor of the Commissioner for said sum of forty-five hundred dollars for each of said volumes.

Reports to be retained by Secretary of State, distributed and sold. Proceeds to go into State Library Fund.

SEC. 2. The Secretary of State shall retain two hundred copies of each volume of the Nevada Reports hereafter published, for the use of the State Library and the Legislature, while in session; and after distribution as now required by law any surplus remaining in his possession shall be sold by him, at a price not exceeding five dollars per volume, and the money received from such sales shall be paid into the State Library Fund, without delay, after making such sales.

Commissioner's report.

SEC. 3. The Commissioner shall annually file with the Board of Examiners a statement of his disbursements and expenditures in the preparation and publication of said Reports.

CHAP. CXVIII.—An Act to amend an Act entitled "An Act for the government and maintenance of the State Orphans' Home," approved March first, eighteen hundred and seventy-three.

[Approved March 8, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Board of Directors to control the administration of State Orphans' Home created, etc.

Section One. The administration of the State Orphans' Home shall be under the control of a Board of three Directors, to consist of the Superintendent of Public Instruction, Surveyor General, and State Treasurer. They shall elect from their number a President and Vice President. They shall be known by the name and style of the Directors of the State Orphans' Home.

CHAP. CXIX.—*An Act defining the rights of Husband and Wife.*

[Approved March 10, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All property of the wife, owned by her before marriage, and that acquired by her afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is her separate property; and all property of the husband, owned by him before marriage, and that acquired by him afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is his separate property.

Separate property of wife.

Separate property of husband.

SEC. 2. All other property acquired, after marriage, by either husband or wife, or both, ~~except as provided in sections fourteen and fifteen in this Act (is community property)~~

Community property

SEC. 3. A full and complete inventory of the separate property of the wife, exclusive of money in specie, must be made out and signed by her, acknowledged or proved in the manner required for the acknowledgment or proof of a conveyance of real property by an unmarried woman, and shall be recorded, if she be a resident of this State, in the office of the Recorder of the county in which she resides; and if there be included in such inventory any real estate lying in any other county, also, in the office of the Recorder of such other county, or if she be not a resident of this State, then in the office of the Recorder of each county wherein any portion of the property, real or personal, is situated, located, or used; and from time to time thereafter, a further and supplemental inventory shall be made out, signed, acknowledged, or proved and recorded in like manner, of all other separate property afterwards acquired by the wife, excepting money whilst in specie and unconverted, and the rents, issues, and profits of her separate property, included in the original or any subsequent inventory, if the same be money, so long as it shall remain in specie and unconverted.

Inventory of separate property of wife to be recorded.

Supplemental inventory.

SEC. 4. When the wife is a resident of this State, the filing for record of the inventory of her separate property in the office of the Recorder of the county in which she resides is notice of her title to the same, except as to any real estate situate in another county; and as to such real estate, the filing for record of the inventory thereof, in the office of the Recorder of the county wherein the same is situate, is notice of her title thereto. When the wife is not a resident of this State, the filing for record of the inventory of her separate property in the office of the Recorder of the county wherein any portion of such property, real or personal, included in the inventory is situate, located, or used, is notice of her title as to all such property situate, located, or used in such county.

Filing of inventory for record to be notice

SEC. 5. When the wife is a resident of this State, the failure to file for record an inventory of her separate property in the office of the Recorder of the county in which she resides, or

Failure to file inventory, effect of.

Same.

the omission from the inventory, filed for record in such office, of any part of such property, except as to real estate situate in another county, is *prima facie* evidence, as between the wife and purchasers in good faith and for a valuable consideration from the husband, that the property of which no inventory has been so filed, or which has been omitted from the inventory, is not the separate property of the wife; and as to any real estate situate in another county, the failure to file for record an inventory thereof in the office of the Recorder of the county wherein the same is situate, or the omission from the inventory filed for record in such office, of any part of such real estate, is *prima facie* evidence, as between the wife and such purchasers as aforesaid, that such real estate of which no inventory has been so filed, or which has been omitted from the inventory, is not her separate property. When the wife is not a resident of this State, the failure to file for record an inventory of her separate property in the office of the Recorder of the county wherein any portion of such property is situate, located, or used, or the omission from the inventory filed in such office, of any part of such property, is, as to all such property situate, located, or used in that county, of which no inventory has been so filed, or which has been omitted from the inventory, *prima facie* evidence, as between the wife and such purchasers as aforesaid, that the same is not her separate property.

Husband to control community property.

SEC. 6. The husband has the entire management and control of the community property, with the like absolute power of disposition thereof, except as hereinafter provided, as of his own separate estate.

No estate in dower or by courtesy.

SEC. 7. No estate is allowed the husband as tenant by courtesy, upon the death of his wife, nor is any estate in dower allotted to the wife upon the death of her husband.

Tenants in common.

SEC. 8. A husband or wife may hold real or personal property as joint tenants, tenants in common, or as community property.

Wife to control her separate property.

SEC. 9. The wife may, without the consent of her husband, convey, charge, incumber, or otherwise in any manner dispose of her separate property.

Upon death of wife the community property to go to husband, except when wife abandoned by husband

SEC. 10. Upon the death of the wife the entire community property belongs, without administration, to the surviving husband, except that in case the husband shall have abandoned his wife and lived separate and apart from her without such cause as would have entitled him to a divorce, the half of the community property subject to the payment of its equal share of the debts chargeable to the estate owned in community by the husband and wife, is at her testamentary disposition in the same manner as her separate property, and in the absence of such disposition goes to her descendants equally, if such descendants are in the same degree of kindred to the decedent; otherwise, according to the right of representation; and in the absence of both such disposition and such descendants, goes to her other heirs at law, exclusive of her husband.

Community property, upon death of husband, how disposed of.

SEC. 11. Upon the death of the husband, one half of the community property goes to the surviving wife and the other half is subject to the testamentary disposition of the husband; and in the absence of such disposition, goes to his descendants

equally, if such descendants are in the same degree of kindred to the decedent; otherwise, according to the right of representation; and in the absence of both such disposition and such descendants, is subject to distribution in the same manner as the separate property of the husband. In case of the dissolution of the community by the death of the husband, the entire community property is equally subject to his debts, the family allowance, and the charges and expenses of administration. Common property subject to debts, etc.

SEC. 12. In case of the dissolution of the marriage by decree of any Court of competent jurisdiction, the community property must be equally divided between the parties, and the Court granting the decree must make such order for the division of the community property, or the sale and equal distribution of the proceeds thereof, as the nature of the case may require; *provided*, that when the decree of divorce is rendered on the ground of adultery or extreme cruelty, the party found guilty thereof is only entitled to such portion of the community property as the Court granting the decree may in its discretion, from the facts in the case, deem just and allow; and such allowance shall be subject to revision on appeal in all respects, including the exercise of discretion, by the Court below. Division of property in case of divorce. Proviso.

SEC. 13. The earnings of the wife are not liable for the debts of the husband. Earnings of wife.

SEC. 14. The earnings and accumulations of the wife and of her minor children, living with her, or in her custody, while she is living, separate from her husband, are the separate property of the wife. Earnings of wife and minor children, etc.

SEC. 15. When the husband has allowed the wife to appropriate to her own use her earnings, the same, with the issues and profits thereof, is deemed a gift from him to her, and is, with such issues and profits, her separate property. Earnings of wife, when separate property.

SEC. 16. The separate property of the husband is not liable for the debts of the wife, contracted before the marriage. Debts of wife.

SEC. 17. The separate property of the wife is not liable for the debts of her husband, but is liable for her own debts, contracted before or after marriage. Debts of husband.

SEC. 18. Except as mentioned in the next section, neither husband nor wife has any interest in the property of the other. Separate property.

SEC. 19. Either husband or wife may enter into any contract, engagement, or transaction with the other, or with any other person respecting property, which either might enter into if unmarried, subject in any contract, engagement, or transaction between themselves, to the general rules which control the actions of persons occupying relations of confidence and trust towards each other. Contract between husband and wife, etc.

SEC. 20. A husband and wife cannot by any contract with each other alter their legal relations, except as to property, and except that they may agree to an immediate separation, and may make provision for the support of either of them and of their children during such separation. Contract of separation.

SEC. 21. The mutual consent of the parties is a sufficient consideration for such an agreement as is mentioned in the last section. Consideration of.

Husband bound for necessities furnished wife, when.

SEC. 22. If the husband neglects to make adequate provision for the support of his wife, any other person may, in good faith, supply her with articles necessary for her support, and recover the reasonable value thereof from the husband.

Husband not liable, when.

SEC. 23. A husband abandoned by his wife is not liable for her support until she offers to return, unless she was justified by his misconduct in abandoning him.

Support of husband by wife, when required.

SEC. 24. The wife must support the husband out of her separate property when he has no separate property, and they have no community property, and he from infirmity is not able or competent to support himself.

Wife to sue and be sued

SEC. 25. When the wife is living separate and apart from her husband she may sue and be sued alone.

Property rights independent.

SEC. 26. The property rights of husband and wife are governed by this Act, unless there is a marriage contract or settlement containing stipulations contrary thereto.

Marriage contracts.

SEC. 27. All marriage contracts or settlements must be in writing, and executed and acknowledged or proved in like manner as a conveyance of land is required to be executed and acknowledged or proved.

Marriage contracts to be recorded

SEC. 28. When such marriage contract or settlement is acknowledged or proved it must be recorded in the office of the Recorder of every county in which any real estate may be situated which is conveyed or affected by such contract.

Recorded marriage contract to be notice.

SEC. 29. When such marriage contract or settlement is deposited in the Recorder's office for record it shall, as to all property affected thereby in the county where the same is deposited, impart full notice to all persons of the contents thereof.

Contract not valid, when.

SEC. 30. No such marriage contract or settlement shall be valid as to any real estate, or affect the same, except as between the parties thereto, until it shall be deposited for record with the Recorder of the county in which such real estate is situated.

Marriage contract of minor.

SEC. 31. A minor, capable of contracting marriage, may make a valid marriage contract or settlement.

Acknowledgement of married woman necessary.

SEC. 32. No estate in the real property a married woman possesses is affected by any conveyance or other instrument, except a will purporting to be executed or acknowledged by her, unless the same be acknowledged by her in the manner that conveyances by married women are required to be acknowledged.

Power of attorney.

SEC. 33. A power of attorney of a married woman, authorizing the execution of an instrument conveying or affecting her real property, shall be acknowledged as above mentioned.

Acknowledgement.

SEC. 34. A conveyance or other instrument affecting or relating to real estate, except a will made by a married woman, has no validity until acknowledged as above provided; but when so acknowledged has the same effect as if she were unmarried.

Acts repealed.

SEC. 35. An Act entitled "An Act defining the rights of husband and wife," approved March seventh, eighteen hundred and sixty-five, and all other Acts, and parts of Acts, in conflict with this Act, are hereby repealed; *provided*, that no rights already vested, or any proceeding already taken, shall be affected by anything in this Act contained.

CHAP. CXX.—An Act to define the duties of the Lieutenant Governor, and to fix his compensation therefor.

[Approved March 12, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Lieutenant Governor shall be ex officio Lieutenant Governor Adjutant General and State Librarian, and he shall perform all duties required by law in connection with the offices of Adjutant General and State Librarian. His compensation for such service shall be thirty-six hundred dollars per annum, payable quarterly in the same manner as is provided for the payment of the salaries of other State officers. ex officio Adjutant General and State Librarian.

SEC. 2. Section six of an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada," approved March fourth, eighteen hundred and sixty-five, is hereby repealed. Repealed.

SEC. 3. This Act shall take effect and be in force from and after the first day of January, A. D. eighteen hundred and seventy-five. Act to take effect.

CHAP. CXXI.—An Act relating to Elections.

[Approved March 12, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. A general election shall be held in the several election precincts in this State, on the Tuesday next after the first Monday of November, one thousand eight hundred and seventy-four, and every two years thereafter, at which there shall be chosen all such officers as are by law to be elected in such year, unless otherwise provided for. General election, when to be held.

SEC. 2. It shall be the duty of the Board of County Commissioners to set off and establish election precincts or districts when it may be necessary, upon a petition of ten or more qualified electors of the county; *provided*, they be located eight miles or more from any polling place or precinct; at their first regular meeting in October, preceding each general election, at least twenty days before any general election, and fifteen days before any special election, to appoint three capable and discreet persons possessing the qualifications of electors, who shall not be of the same political party, to act as Inspectors of the Election at each election precinct. And the Clerk of said Board of County Commissioners shall make out and deliver to the Sheriff of the county, immediately after the appointment of said Inspectors, a notice thereof, in writing, directed to the Inspectors so appointed; and it shall be the duty of the said Sheriff, within

ten days after the receipt of said notices, to serve the same upon each of said Inspectors of Election.

Poll books
to be
furnished.

SEC. 3. It shall be the duty of the Board of County Commissioners to cause their clerks to furnish the Sheriff with poll books, who shall deliver the same to one of the Inspectors of every election precinct in the county, at the time of serving the notice on said Inspectors, at least one day before the time of holding any election.

Notices of
election.

SEC. 4. The several Boards of County Commissioners shall cause their clerks, at least twenty days before any general election, and at least fifteen days before any special election, to make out and deliver to the Sheriff of their county, or to the Justice of the Peace of any county attached for judicial purposes, three written notices for each election precinct, to be, as nearly as circumstances will admit, as follows:

Form of.

Notice is hereby given that on the first Tuesday, the — day of — next, at the house of — (in city, town, district, or precinct), of —, in the County of —, an election will be held for State, county, district, town, or township officers (naming the offices to be filled, as the case may be), which election shall be opened not later than eight o'clock A. M. and shall continue until six o'clock P. M. of the same day.

Dated this — day of —, A. D. —.

(Signed): A. B., Clerk of the Board of County Commissioners.

Sheriff
required
to post
notices.

SEC. 5. The Sheriff aforesaid, to whom such notices shall be delivered, shall put up in three of the most public places of each precinct the notices referring to such precincts, at least fifteen days previous to the time of holding any general election and at least eight days previous to the time of holding any special election; one of said notices to be posted at the house where the election is authorized to be held, and the others at two of the most public and suitable places in the precinct, and, also, have the same published in the several newspapers in their respective counties.

Published.

Inspectors
to notify
Board of
unwilling-
ness to
serve.

SEC. 6. If in any precinct any of such Inspectors are unwilling to serve as Inspectors, they shall notify the Board of County Commissioners thereof, within five days after the receipt of the notice of their appointment, who shall immediately appoint some suitable person to fill the vacancy and to serve at such election.

Failure to
notify.

A failure to notify the Board of County Commissioners of an unwillingness to serve as an Inspector, as herein provided, shall subject the person to a penalty of not less than ten nor more than one hundred dollars, to be sued for and recovered by said Board of County Commissioners, for the use of the county, before any Justice of the Peace of such county. If, through any accident, sickness, or inability, on the day of election, of such Inspectors, or any one thereof, to serve, the Inspector or Inspectors present on the morning of the election may appoint some suitable person to fill the vacancy.

Penalty.

Inspectors
to appoint
Clerks, etc.

SEC. 7. The said Inspectors shall choose two persons having similar qualifications with themselves to act as Clerks of the Election. The said Inspectors shall be and continue Inspectors of all elections of civil officers to be held at their respective

precincts, until other Inspectors shall be appointed as hereinbefore directed; and the said Clerks of Election may continue to act as such during the pleasure of the Inspectors of Election.

SEC. 8. Previous to votes being taken, the Inspectors and Clerks of Election shall, severally, take the prescribed official oath, and in addition thereto an oath or affirmation in the following form, to wit: I, A. B., do solemnly swear (or affirm, as the case may be,) that I will perform the duties of Inspector (or Clerk, as the case may be,) of the election to be held this day, according to law and the best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in any manner, in conducting the same. So help me God; (or if an affirmation, under the pains and penalties of perjury).

SEC. 9. In case there shall be no Judge or Justice of the Peace present at the opening of the election, or in case such Judge or Justice shall be appointed Inspector or Clerk of the Election, they are hereby empowered to administer the oath or affirmation to each other, and to the Clerks of the Election, and the person administering the oath or affirmation shall cause an entry thereof to be made and subscribed by him in the poll books.

SEC. 10. At all elections to be held under this Act, the polls shall be opened at the hour of eight o'clock in the forenoon, and continue open until six o'clock in the afternoon of the same day, at which time the polls shall be closed; and, upon opening the polls, one of the Clerks, under the direction of the Inspectors, shall make proclamation of the same; and thirty minutes before closing of the polls, proclamation shall be made in like manner, that the polls will be closed in half an hour; but the Board may, in their discretion, adjourn the polls for one hour at any time they may think proper during the day, before four o'clock in the afternoon, proclamation of the same being made.

SEC. 11. There shall be provided and kept by the County Commissioners of each county, at the expense of the county, a suitable ballot box, with a lock and key, and furnish the same to the Inspectors of each election precinct or district within their county.

SEC. 12. There shall be an opening through the lid of each box of no larger size than shall be sufficient to admit a single folded ballot. Before opening the polls, the ballot box shall be carefully examined by the Inspectors of Election, that nothing may remain therein; it shall then be locked and the key thereof delivered to one of the Inspectors, to be designated by the majority thereof, and shall not be opened during the election except in the manner and for the purposes hereinafter mentioned.

SEC. 13. Every elector shall, in full view, deliver to one of the Inspectors of the Election a single ballot or piece of paper, on which shall be written or printed the names of the persons voted for, with a pertinent designation of the offices to which each person so named is intended by him to be chosen. Said ballot may be open or folded, as the voter may choose, and the said ballot shall, in color, size, form, and texture, conform to the requirements set forth in the proclamation of the County Com-

missioners of each county; and further, that said ballot or ticket shall be free from marks, characters, or device or thing that would enable any person to distinguish by the back, or when folded, from any other legal ticket or ballot.

Manner of voting.

SEC. 14. It shall be the duty of the Board of County Commissioners, at the time of issuing their election proclamation, as provided in section four of this Act, which shall be a part of the said proclamation, to designate fully the color, size, form, and texture of all ballots to be used at the ensuing election. Said ballot shall be of sufficient width to allow names to be written thereon. It shall be the duty of the Inspectors of Election at each poll, at every election, to have before them a certified copy of the register of voters of the precinct or district for which they are the Inspectors provided by law; and the Inspector to whom any ticket may be delivered shall, upon receipt thereof, pronounce with an audible voice the name of the person offering to vote, and another one of the Inspectors shall examine the certified copy of the register; and if the name of the person is found thereon, his ticket shall immediately be put in the ballot box without being inspected, if it be a folded ballot. The name of the elector shall then be checked on the certified copy of the register, and the Clerks of Election shall enter his name and number in the poll book. No person shall be permitted to vote whose name is not on the register, and who shall refuse to comply with the requirements of section thirteen of this Act. Said register shall be to said Inspectors of Election conclusive evidence of the right of the person to vote whose name appears upon the same; *provided*, that said Inspectors of Election may require any person to give true answers, under oath or affirmation, to all such questions as they may desire to ask touching the identity of the person with the name in or under which he may wish to vote; *provided*, that in all cases said ballots shall be printed on a good quality of white book paper.

Copy of register.

Proviso.

Poll lists to correspond.

SEC. 15. At each adjournment of the polls, the Clerks shall, in the presence of the Inspectors, compare their respective poll lists, compute and set down the number of votes, and correct all mistakes that may be discovered, according to the decision of a majority of the Inspectors, until such poll lists shall be made in all respects to correspond.

Poll books, etc.

SEC. 16. The ballot box shall then be opened and the poll books placed therein; and such box shall then be locked, and a covering, which shall be indorsed by one of the Inspectors, sealed or pasted over the opening in the lid of the said box so as to entirely cover the same, and the key delivered to another of the Inspectors, and the box to a third, to be designated by a majority of the Inspectors.

Inspectors to keep ballot box and key separate.

SEC. 17. The Inspector having the key shall keep it in his own possession, and deliver it again to the Board of Inspectors at the next opening of the polls; and the Inspector having the care of the box shall carefully keep it, without opening it or suffering it to be opened, or the seal thereof to be broken or removed, and shall publicly, in that condition, deliver it to the Board of Inspectors at the next opening of the polls, when the

seal shall be broken and the box opened, the poll books taken out, and the box again locked.

SEC. 18. No ticket or ballot shall on the day of election be given or delivered to, or received by, any person except the Inspector, or a Judge acting as Inspector, nor fold any ticket or unfold any ballot which he intends to use in voting, or exhibit to another in any manner by which the contents thereof may be known, or request another person to exhibit or disclose the contents of any ticket or ballot, within one hundred feet of the polling place; *provided*, that in case any elector voting an open ticket, the Inspector, or Judge acting as Inspector, may fold the same before placing it in the ballot box.

Ballots not to be given to or exhibited to another within certain limits.

Proviso.

SEC. 19. If the names of more persons are designated on any ballot found in the ballot box, for the same office, than are to be chosen for such office, then, except in the cases provided for in the next section, all the names designated for such office must be rejected; and the fact of such rejection, and the reason therefor, must, at the time of such rejection, be disposed of as provided in section twenty-six of this Act.

More persons designated for an office than to be chosen.

SEC. 20. When, upon a ballot being found in any ballot box, a printed name and a name written with ink or with pencil appears, and there are not so many persons to be chosen for the office, the printed name opposite the written name must be rejected, and the written one counted; or when, upon a ballot found in any ballot box, a name has been erased, and another substituted therefor in any other manner than by the use of a lead pencil or common writing ink, the substituted name must be rejected, and the name erased, if it can be ascertained from an inspection of the ballot, must be counted, and the fact thereof noted, and the said ballots disposed of as provided in section twenty-six of this Act.

Written and printed names for same office, which to be rejected.

SEC. 21. Whenever a question arises in the Board as to the legality of a ballot, or any part thereof, and the Board decide in favor of the legality, such action shall be taken as in case of a rejected ballot.

Legality of ballots.

SEC. 22. Every person who makes, offers, or accepts any wager or bet upon the result of any election, or upon the success or failure of any person or candidate, or upon the number of votes to be cast, either in the aggregate or for any particular candidate, or upon the vote to be cast by any person, is guilty of a misdemeanor.

Misdemeanor to bet on result of election, etc.

SEC. 23. The Sheriffs of the several counties are hereby authorized to appoint one or more deputies, to serve at each election precinct, for the purpose of preserving order and making arrests, to be paid as other fees.

Sheriff to appoint deputies to serve at precincts.

SEC. 24. A person offering to vote may be orally challenged by any elector of the precinct, upon the ground that he is not the person entitled to vote as claimed, or has voted before on the same day, in which case the Inspector or one of the Judges shall tender him the following oath: "You do swear (or affirm) that you are the person whose name is entered upon the registry list of this precinct." In case such person refuse to take

Oral challenge.

the oath so tendered, he shall not be allowed to vote, and the Clerks of the Election shall write the word "Challenged" opposite the name of each person challenged upon the registry.

Canvass to be public.

SEC. 25. As soon as the polls of the election shall be finally closed the Inspectors shall immediately proceed to canvass the vote given at such election; and the canvass shall be public, and continue without adjournment until completed.

Manner of canvass.

SEC. 26. The canvass shall commence by a comparison of the poll lists from the commencement, and a correction of any mistake that may be found therein, until they shall be found to agree. The box shall then be opened, and the ballots contained therein taken out and counted by the Inspectors, and opened so far as to ascertain whether each ballot is single; and if two or more ballots shall be found so folded together as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed; and if, on comparison of the count with the poll lists and the appearance of such ballots, a majority of the Inspectors shall be of the opinion that the ballots thus folded together were voted by one elector, they shall be rejected, and carefully sealed up in an envelope, upon which shall be written the reason of their rejection, and shall be signed by the Inspectors, and placed back in the ballot box, to be retained with the other ballots, as provided in section twenty-nine of this Act.

Excess of ballots.

SEC. 27. If the ballots in the box shall be found to exceed in number the whole number of votes on the poll lists, they shall be replaced in the box after being purged as above, and one of the Inspectors, with his back turned to the box, shall publicly draw out and destroy therefrom so many ballots, unopened, as shall equal the excess.

Counting ballots.

SEC. 28. The ballots and poll lists agreeing, or being made to agree, the Board shall then proceed to count and ascertain the number of votes cast, and for whom cast, and when completed the Clerks shall set down in their poll books the name of every person voted for, written at full length, the office for which such person received such votes, and the number he did receive, the number being expressed in writing at full length and also in figures; such entry to be made, as nearly as the circumstances will admit, in the following form, to wit:

Form of entry to be made in poll books.

At an election, held at the house of A. B., in the Town (or precinct) of —, in the County of —, and the State of Nevada, on the — day of —, A. D. —, the following named persons received the number of votes annexed to their respective names for the following described offices, to wit:

A. B. had — votes for member of Congress.

C. D. had — votes for State Treasurer.

E. F. had — votes for State Controller.

G. H. had — votes for State Superintendent of Public Instruction.

I. J. had — votes for member of the State Senate.

K. L. had — votes for member of the Assembly.

(And in like manner for any other persons voted for.)

Certified by us:

M. N.,

O. P.,

Q. R.,

Inspectors of Election.

Attest:

A. B.,

C. D.,

Clerks of Election.

SEC. 29. The Inspectors shall file the ballots on a string, inclose and seal the same, together with one of the tally lists, and one of the poll books, under cover, directed to the Clerk of the Board of County Commissioners of the county in which such election was held, indorsed "Election Returns." The packet, thus sealed, shall be conveyed by one of the Inspectors or Clerks of Election, to be determined by lot if they cannot otherwise agree, or by some other person to be agreed upon by the Inspectors, and delivered to the said Clerk of the Board of County Commissioners, at his office, within ten days from the close of the polls. The poll book, tally list, certified copy of register, ballot box and ballots thus inclosed and sealed, shall be deposited in the office of the Clerk of the Board of Commissioners, and preserved until the next general election. The other poll book and tally list shall be deposited with one of the Inspectors of Election, to be determined by lot if not otherwise agreed upon; and said poll book and tally list, together with the poll book and tally list deposited with the Board of County Commissioners, shall be subject to the inspection of any elector, at any time thereafter, who may wish to examine the same; *provided, however*, that the ballots so deposited with the Board of County Commissioners shall not be subject to the inspection of any one, except in cases of contested elections, and then only by the Judge, body, or Board before whom such election is being contested. Election returns, how and to whom made.

SEC. 30. On the tenth day (or if that day shall fall on Sunday then on the Monday following) after the close of any election, or sooner if all the returns be received, the Board of County Commissioners shall proceed to open said returns and make abstracts of the votes. Such abstract of votes for member or members of Congress shall be on one sheet; the abstract of votes for members of the Legislature shall be on one sheet; and the abstract of the votes for district and State officers shall be on one sheet; and the votes for county and township officers shall be on one sheet. And it shall be the duty of the Board of County Commissioners to cause a certificate of election to be made out by the respective Clerks of said Board of County Commissioners, to each of the persons having the highest number of votes for members of the Legislature, district, county, and township officers respectively, and to deliver such certificate to the person entitled to it on his making application to said Clerk at his office; *provided*, that when a tie shall exist between two or more persons for the Senate or Assembly or any other county, district, or township officer, the Board of County Manner of canvass by County Commissioners.

Commissioners shall order their Clerk to give notice to the Sheriff of the county, who shall immediately advertise another election, giving at least ten days notice. And it shall be the duty of the said Clerk of said Board of County Commissioners of such county, on receipt of the returns of any general or special election, to make out his certificate of election, stating therein the compensation to which the Inspectors and Clerks of Election may be entitled by law for their services, and lay the same before the Board of Commissioners at their next session; and the said Board shall order the compensation aforesaid, if correct, to be paid out of the County Treasury.

Abstract of
votes to be
transmitted
to the
Secretary
of State.

Canvass.

Governor
to grant
certificates
of election,
etc.

Proviso.

Certifi-
cates, etc.,
not to be
withheld
on account
of defect
in returns.

Delayed
returns.

Messenger,
etc.

SEC. 31. The Board of County Commissioners, after making the abstract of votes as provided in section thirty, shall cause their Clerk to make a copy of said abstract and transmit the same, by mail or express or special messenger, to the Secretary of State at the seat of Government; and on the third Monday of December succeeding such election, the Chief Justice of the Supreme Court and the Associate Justices, or a majority thereof, shall meet at the office of the Secretary of State and shall open and canvass the vote for members of Congress, district and State officers; and the Governor shall grant a certificate of election to and commission the persons having the highest number of votes, and shall also issue proclamation declaring the election of such persons. In case there shall be no choice, by reason of any two or more persons having an equal and the highest number of votes, the Governor shall, by proclamation, order a new election; *provided*, when an election for Electors of President and Vice President of the United States takes place, the vote therefor shall be canvassed in the manner aforesaid on the fourth Monday after such election is held.

SEC. 32. No certificate shall be withheld on account of any defect or informality in the returns of any election, if it can with reasonable certainty be ascertained from such returns what office is intended, and who is entitled to such certificate; nor shall any commission be withheld by the Governor or Board of County Commissioners on account of any such defect or informality of any returns made to the office of the Secretary of State or to the Board of County Commissioners.

SEC. 33. If the returns of the election of any county in the State shall not be received at the office of the Secretary of State on or before said third Monday of December succeeding such election, the said Secretary may forthwith send a messenger to the Clerk of the Board of County Commissioners of such county, whose duty it shall be to furnish said messenger with a copy of such returns; and the said messenger shall be paid out of the Treasury of such county the sum of thirty cents for each mile he shall necessarily travel in going to and returning from said county. Whenever it shall be necessary, in the opinion of the Board of County Commissioners, to employ a messenger to convey the returns to the seat of Government, and deliver them to the Secretary of State, the person performing such service shall also be entitled to receive, as compensation, mileage at the rate of thirty cents per mile, computing the distance from the county seat to the seat of Government by the usual traveled route.

SEC. 34. When two or more counties are united in one Senatorial, Representative, or Judicial District for the election of any officers, the Board of County Commissioners of each county shall canvass the votes according to law of the voters of their respective counties for said officer or officers; and the Commissioners of the county whose initial is the lowest on the alphabet shall transmit to the Commissioners of the county of the highest initial a copy of the abstract of the votes for such officer or officers, when the said last Commissioners shall make a final abstract and aggregate of said votes, and shall proceed to cause to be issued certificates of election, and otherwise to act as is provided in this and the two preceding sections.

District
returns,
how made.

Abstract of
votes.

SEC. 35. Whenever the returns are required to be transmitted by one Clerk of a Board of County Commissioners to another, or by the Clerk of the Board of County Commissioners to the Secretary of State, it shall be the duty of such Clerk, if not otherwise directed by the Board of County Commissioners, to deliver the same to some Postmaster of the county, at the Post Office, to be transmitted by mail, taking from such Postmaster, if it can be obtained, a certificate, setting forth the time when such returns were deposited in the Post Office, which certificate the Clerk shall file in his office.

Returns,
how trans-
mitted.

SEC. 36. There shall be allowed, out of the County Treasury of such county, to the several Inspectors and Clerks of Election, five dollars per diem, and to the person carrying the poll books from the place of election to the Clerk's office, and to the Clerk of the Board of County Commissioners, for attending at another county to canvass votes, the sum of thirty cents per mile for going and returning, to be paid out of the County Treasury.

Compensa-
tion of
officers of
election.

SEC. 37. Any elector, of the proper county, may contest the right of any person declared duly elected to an office exercised in and for such county; and, also, any elector of a township may contest the right of any person declared duly elected to any office in and for such township, for any of the following causes:

Causes for
contesting
election to
county or
township
office.

First—For malconduct on the part of the Board of Inspectors, or any member thereof.

Second—When the person whose right to the office is contested was not at the time of election eligible to such office.

SEC. 38. When any election, held for an office exercised in and for a county, is contested on account of any malconduct on the part of the Board of Inspectors of any precinct, or any member thereof, the election shall not be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct shall change the result as to such office in the remaining vote of the county.

Contest for
malcon-
duct of
Inspectors.

SEC. 39. When any elector shall choose to contest the right of any person declared duly elected to such office, he shall, within forty days thereafter, file with the Clerk of the District Court a written statement, setting forth, specifically:

Statement
of contest
to be filed.

First—The name of the party contesting such election, and that he is a qualified elector of the district, county, or precinct (as the case may be), in which such election was held.

Second—The name of the person whose right to the office is contested.

Third—The office.

Fourth—The particular cause or causes of such contest.

Said statement shall be verified by the affidavit of the contesting party that the matters and things therein contained are true, to the best of his knowledge and belief.

Proceedings when reception of illegal votes is alleged as cause of contest.

SEC. 40. When the reception of illegal votes is alleged as a cause of contest, it shall be sufficient to state generally that illegal votes were given to the person whose election is contested in the specified precinct or precincts, which, if taken from him, will reduce the number of his legal votes below the number of legal votes given to some other person for the same office; but no testimony shall be received of illegal votes unless the party contesting such election shall deliver to the opposite party, at least three days before such trial, a written list of the number of illegal votes, and by whom given, which he intends to prove on such trial; and no testimony shall be received of any illegal votes except such as are specified in such list; *provided*, that in all cases of contested elections, the District Court of the respective districts shall have original jurisdiction to try and determine all such cases, and may, by mandamus or otherwise, obtain all documentary evidence required by either of the parties litigant.

Proviso.

Statement not to be rejected or proceedings dismissed for want of form.

SEC. 41. No statement of the cause of contest shall be rejected, nor the proceedings thereon dismissed, by any Court before which such contest may be brought for trial, for want of form, if the particular cause or causes of contest shall be alleged with such certainty as will sufficiently advise the defendant of the particular proceedings or cause for which such election is contested.

Judge to fix time and place to determine contest.

SEC. 42. Upon such statement being filed, it shall be the duty of the Clerk of the District Court to inform the Judge thereof, who shall fix the time and place to hear and determine such contested election; and the Clerk shall give notice thereof, not less than ten nor more than twenty days from the date of such notice, to the parties contesting, which said notice shall be served by the Sheriff of the county upon the respective parties, as in other cases.

Witnesses subpoenaed may be compelled to attend.

SEC. 43. The said Clerk shall issue subpoenas and subpoenas *duces tecum*, as in civil actions at law, for witnesses in such contested election, at the request of either party, which shall be served by the Sheriff as other subpoenas; and the District Court shall have full power to issue attachments to compel the attendance of witnesses who shall fail to attend, who shall have been duly subpoenaed.

Certificate of election to issue to person entitled.

SEC. 44. Upon the certified copy of a judgment of the District Court, or a certified copy of the judgment of the Supreme Court, as the case may be, the Clerk of the Board of County Commissioners shall issue a certificate to the person declared to be entitled to such certificate of election.

Fees of Clerk, Sheriff, and witnesses.

SEC. 45. The Clerk, Sheriff, and witnesses shall receive, respectively, the same fees from the party against whom the judgment is given as are allowed for similar services in the District Court.

SEC. 46. Whenever an election shall be annulled and set aside by the judgment of the District Court, and no appeal has been taken therefrom within thirty days, such certificate, if any has been issued, shall thereby be rendered void, and the office become vacant.

Office,
when
vacant.

SEC. 47. In case of any contest in regard to any election to fill the office of District Judge, such contest shall be tried in like manner before the District Court of the district nearest adjoining thereto.

Contest of
election of
District
Judge.

SEC. 48. Any such action may be brought by the District Attorney, in the name of the State of Nevada, upon his own information or upon the complaint of any private party, against any person who unlawfully holds any public office within the State; and it shall be the duty of the District Attorney to bring such action whenever he has reason to believe that any such office is unlawfully held or exercised by any person, or when he is directed so to do by the Governor.

When
District
Attorney
may bring
action for
unlawful
holding
office.

SEC. 49. Whenever such action is brought, the District Attorney, in addition to the statement and cause of action, may also set forth in the complaint the name of the person rightly entitled to the office or franchise, with a statement of his right thereto; and in such case, upon proof by affidavit or otherwise, that the defendant has received fees or emoluments belonging to the office or franchise, by means of his usurpation thereof, an order may be granted by a Judge of the Supreme Court, or a District Judge, for the arrest of such defendant and holding him to bail; and thereupon he may be arrested and held to bail in the same manner and with the same effect, and subject to the same rights and liabilities as in other civil actions where the defendant is subject to arrest.

When
defendant
may be
arrested
and held
to bail.

SEC. 50. If the judgment be rendered upon the right of the person so alleged to be entitled, in favor of such person, he may recover, by action, the damages which he shall have sustained by reason of the usurpation of the office or franchise by the defendant.

Damages
recoverable.

SEC. 51. When several persons claim to be entitled or elected to the same office, one action may be brought by or against all such persons, in order to try their respective rights to such office.

Rights of
several
may be
tried in
one action.

CONTEST FOR MEMBERS OF THE LEGISLATURE.

SEC. 52. In case of contest for Senator or Assemblyman in any county or district of this State, the party contesting shall file a statement in the Clerk's office of the county or district in which such Senator or Assemblyman may be a resident, a concise statement of the grounds on which he intends to rely, which statement shall be verified by affidavit; and it shall be the duty of the Clerk to issue a commission, directed to two Justices of the Peace of such county, to meet at such time and place as shall be specified in such commission, not less than twenty nor more than thirty days from the filing of such papers, for the purpose of taking the deposition of such witnesses as the parties to such contest may wish to examine; and notice shall be served upon the person whose right to such office is contested,

Proceedings on
contest for
Senator or
Assemblyman.

by the Sheriff of the county, the same as provided for by law in like cases.

Justices to have power to issue subpoenas and attachments for witnesses, etc. SEC. 53. Either of said Justices of the Peace shall have power at any time to issue subpoenas for witnesses, at request of either party, to be served by the Sheriff as other subpoenas; and such Justices, when they meet at the time and place appointed to take depositions, shall have the same power to issue attachments and assess fines against witnesses as is given to Justices of the Peace in other trials instituted before them; and all testimony taken before such Justices of the Peace shall be in writing, and shall be certified to and forwarded by mail or express, or delivered to the County Clerk of the county.

Depositions, etc., to be transmitted to the Secretary of State. SEC. 54. It shall be the duty of the said Clerk to seal up such depositions, together with the original statement of the grounds of such contest, and the copy of the notice served upon the party whose right is contested, and the commission issued to the Justices of the Peace, and transmit the same by mail to the Secretary of State, indorsing thereon the names of the contesting parties, and the branch of the Legislature before which such contest is to be tried.

Vacancy in Commission, how filled. SEC. 55. If at any time either of the said Justices shall become unable to proceed in such examination, said Clerk may supply the vacancy by designating any other Justice of the Peace of the county in the place of said Justice.

Duty of Secretary of State. SEC. 56. It shall be the duty of the Secretary of State to deliver the same, unopened, to the presiding officer of the house in which such contest is to be tried, on or before the second day after the organization of the Legislature next after taking such depositions; and such presiding officer shall immediately give notice to said house that said papers are in his possession.

When either party may take depositions. SEC. 57. At any time after notice of any contest shall be given, and before the trial of such contested election before the proper branch of the Legislature, it may be lawful for either party to such contest to take depositions, to be read on the trial thereof in like manner and under the same rules as are allowed and required in cases of depositions to be read on any trial pending in the District Court; and such depositions, when thus taken, shall be sealed up by the officer taking the same and directed to the Secretary of State, who shall keep the same, unopened, and deliver them to the presiding officer of the house in which such contest is to be tried, to be disposed of by such officer as the depositions specified in the preceding section.

FOR CONTESTING THE ELECTION OF STATE OFFICERS.

Who may contest, and how. SEC. 58. Any qualified elector of the State may contest the election of any person declared duly elected to any State office within this State by filing a specification of the grounds of such contest with the Clerk of the Supreme Court, which specification shall be verified by oath or affirmation, and it is hereby made the duty of the Attorney General to prosecute such action in the name of the People of the State, before the Supreme Court, who shall have original jurisdiction in such cases; the Justices, or either of them, shall have power to issue such

process as may be necessary to the complete hearing and final determination of such action.

SEC. 59. If any person now holding or who shall hereafter hold any office in this State, who shall refuse or neglect to perform any official act in the manner and form as now prescribed by law, or who shall be guilty of any malpractice or malfeasance in office, shall be removed therefrom as herein prescribed. Causes for removal from office.

SEC. 60. Whenever any complaint in writing, duly verified by the oath of any complainant, shall be presented to the District Court, alleging that any officer within the jurisdiction of said Court has been guilty of charging and collecting any illegal fees for services rendered or to be rendered in his office, or has refused or neglected to perform the official duties pertaining to his office as prescribed by law, or has been guilty of any malpractice or malfeasance in office, it shall be the duty of the Court to cite the party charged to appear before him on a certain day, not more than ten nor less than five days from the time when said complaint shall be presented, and on that day, or some subsequent day not more than twenty days from that on which said complaint is presented, shall proceed to hear, in a summary manner, the complaint and evidence offered by the party complained of, and if, on such hearing, it shall appear that the charge or charges of said complaint are sustained, the Court shall enter a decree that said party complained of shall be deprived of his office, and shall enter a judgment for five hundred dollars in favor of the complainant and such costs as are allowed in civil cases. Proceedings when complaint is presented for malpractice in office, etc.

SEC. 61. It shall be the duty of the Clerk of the Court in which such proceedings are had to transmit, within three days thereafter, to the Governor of the State, or Board of County Commissioners (as the case may be) of the proper county, a copy of any decree or judgment declaring any officer deprived of any office under this Act; and it shall be the duty of the Governor or such Board of County Commissioners (as the case may be) to appoint some person to fill said office until a successor shall be selected or appointed and qualified; and it shall be the duty of the person so appointed to give such bond and security as are prescribed by law and pertaining to such office. Copy of decree to be transmitted to Governor or County Commissioners, etc.

SEC. 62. In case judgment of the District Court, as herein provided, shall be against the officer complained of, and an appeal taken from the judgment so rendered, the officer so appealing shall not hold the office during the pending of such appeal; but such office shall be filled as in case of a vacancy. Office to be filled on appeal.

BY CRIMINAL ACTION.

SEC. 63. An accusation, in writing, against any district, county, or township officer, for willful misconduct in office, may be presented by the Grand Jury of the county, for which such officer accused is elected or appointed, which accusation shall state the offense charged, and shall be delivered by the Foreman of the Grand Jury to the District Attorney of the county, who shall cause a copy thereof to be served upon the Proceedings on accusations against district, county, or township officer.

defendant, and require, by notice in writing, of not less than ten days, that he appear before the District Court then sitting, or at the next term, and answer the accusation. The original accusation shall then be filed with the Clerk of the District Court.

Defendant to appear and answer. SEC. 64. The defendant must appear at the time appointed in the notice, and answer the accusation, unless for some sufficient cause the Court assign another day for that purpose. If he do not appear, the Court may proceed to hear and determine the accusation in his absence.

Answer. SEC. 65. The defendant may answer the accusation, either by objecting to the sufficiency thereof, or to any allegation therein, or by denying the truth of the same.

Objections. SEC. 66. If he object to the legal sufficiency of the accusation, the objection must be in writing, but need not be in any specified form, it being sufficient if it present intelligibly the grounds of the objection.

Denial. SEC. 67. If he denies the truth of the accusation, the denial may be oral, and without oath, and shall be entered upon the minutes.

Answer forthwith. SEC. 68. If an objection to the sufficiency of the accusation be not sustained, the defendant shall be required to answer the accusation forthwith.

Court to convict or proceed to try. SEC. 69. If the defendant plead guilty, and refuses to answer the accusation, the Court shall render judgment of conviction against him. If he deny the matter charged, the Court shall immediately, or as soon thereafter as practicable, proceed to try the accused, which trial shall be conducted in all respects and in like manner as trial upon indictment for other offenses.

Judgment on conviction. SEC. 70. Upon a conviction, the Court shall immediately, or within five days, as it may appoint, pronounce judgment that the defendant be removed from office; but to warrant a removal, the judgment must be entered upon the minutes, assigning thereon the causes of removal.

Appeal may be taken. SEC. 71. From a judgment of removal, an appeal may be taken to the Supreme Court, in the same manner as from a judgment in a civil action; but until such judgment be reversed the defendant shall be suspended from his office. Pending the appeal the office may be filled as in case of a vacancy.

Office to be filled. SEC. 72. The same proceedings may be had on like grounds for the removal of a District Attorney, except that the accusation shall be delivered to the District Judge of the district, who shall thereupon appoint some one to act as a prosecuting officer in the matter, or shall place the accusation in the hands of the District Attorney of the nearest adjoining district, and require him to conduct the proceedings.

BY IMPEACHMENT.

Impeachment of civil officer. SEC. 73. Where a civil officer of the State is impeached by the Assembly for misconduct in office, the articles of impeachment shall be delivered to the President of the Senate, who shall cause a copy thereof with a notice to appear and answer the same, at the time and place appointed, to be served on the

defendant not less than ten days before the day fixed for the hearing.

SEC. 74. The service must be upon the defendant personally; or, if he cannot, upon diligent inquiry, be found within the State, the Senate, upon due proof of that fact, may order that publication be made in such manner as they deem proper, of a notice requiring him to appear at a specified time and place, and answer the articles of impeachment. Service on defendant.

SEC. 75. If the defendant do not appear, the Senate, upon proof of personal service or publication, as provided in the last two preceding sections, may, of their own motion or for cause shown, assign another day for hearing the impeachment, or may then, or at any other time which they may appoint, proceed in the absence of the defendant, to trial and judgment. Failure to appear.

SEC. 76. When the defendant appears, he must answer to the articles of impeachment, which he may do either by objecting to the sufficiency of the same or any article thereof, or denying the truth of the same. Answer.

SEC. 77. If the defendant object to the sufficiency of the impeachment, the objection must be in writing, but need not be in any specific form, it being sufficient if it presents intelligibly the grounds of the objection. If he deny the truth of the impeachment the denial may be oral and without oath, and shall be entered upon the journal. When objection to be in writing. When oral.

SEC. 78. If he plead guilty or refuse to plead, the Senate shall render judgment of conviction against him. If he deny the matter charged, the Senate shall, at such time as they may appoint, proceed to try the impeachment. The Chief Justice of the Supreme Court shall preside over the Senate while sitting to try the Governor or Lieutenant Governor upon impeachment, and in all other cases, the President of the Senate. Plea of guilty. Chief Justice to preside on trial of impeachment.

SEC. 79. At the time and place appointed, before the Senate proceed to act on the impeachment, the Secretary shall administer to the President of the Senate or Chief Justice (as the case may be) and the President of the Senate or Chief Justice (as the case may be) to each of the members of the Senate then present, an oath or affirmation, truly and impartially to hear, try, and determine the impeachment. Oath to be administered to Chief Justice, President, and Senators.

SEC. 80. The judgment may be that the defendant be suspended and removed from office, or that he be removed from office and disqualified to hold and enjoy a particular office, or class of offices, or any office of honor, trust, or profit under the Constitution and laws of this State. What judgment may be.

SEC. 81. If judgment of suspension be given on the votes of two thirds of the members elected to each branch of the Legislature, the defendant shall, during the continuance thereof, be disqualified from receiving the salary, fees, or emoluments of the office; and the Judge, District Attorney, or any State officer complained of, shall be served with a copy of the complaint against him, and have an opportunity of being heard in person or by counsel, in his defense; *provided*, that no member of either branch of the Legislature shall be eligible to fill the vacancy occasioned by such removal. Two-thirds vote required to suspend. Provide.

SEC. 82. When articles of impeachment shall be presented against the President of the Senate, such officer shall be

When
President
of Senate
tempo-
rarily
suspended.
State office
to be filled
tempo-
rarily.

temporarily suspended from his office and shall not act in his official capacity until duly acquitted. Upon such suspension of any State officer whose office is created by the Constitution or laws of this State, the Governor shall immediately take charge of his office, and such office shall at once be temporarily filled by appointment by the Governor until the acquittal of the party impeached, or in case of his removal, then until the vacancy be filled as provided by law.

Fraudulent
action of
officers of
election,
how
punished.

SEC. 83. Every person charged with the performance of any duty under the provisions of any law of this State relating to elections, who willfully neglects or refuses to perform it, or who in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be deemed guilty of felony, and punishable by fine not exceeding one thousand dollars, or by imprisonment in the State Prison not exceeding five years, or by both such fine and imprisonment.

Persons
refusing to
be sworn,
or to
answer,
how
punished.

SEC. 84. Every person who, after being required by the Board of Judges at any election, refuses to be sworn, or who, after being sworn, refuses to answer any pertinent question propounded by such Board touching his right or the right of any other person to vote, is guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment in the County Jail not exceeding three months, or by both such fine and imprisonment.

Punish-
ment for
fraudulent
voting, etc.

SEC. 85. Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any election, or knowingly hands in two or more tickets folded together, or changes any ballot after the same has been deposited in the ballot box, or adds or attempts to add any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted, or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully provided, other ballots while the same are being counted or canvassed, or abstracts any ballots lawfully polled any other time with intent to change the result of such election, or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating such election, or willfully detains, mutilates, or destroys any election returns, or in any manner so interferes with the officers holding such election or conducting such canvass, or with voters lawfully exercising their right of voting at such election, as to prevent such election or canvass from being fairly held and lawfully conducted, shall be guilty of felony, punishable by a fine not exceeding one thousand dollars, or by imprisonment in the State Prison not exceeding five years, or by both such fine and imprisonment.

Punish-
ment for
fraudulent
attempt to
vote, etc.

SEC. 86. Every person not entitled to vote who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who procures, aids, assists, counsels, or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, shall be guilty of a misdemeanor, punishable by a fine not exceeding two hundred dollars, or by imprisonment in the

County Jail not exceeding sixty days, or by both such fine and imprisonment.

SEC. 87. Every Inspector, Judge, or Clerk of an election, who, previous to putting the ballot of an elector in the ballot box, attempts to find out any name on such ballot, or who opens or suffers the folded ballot of any elector which has been handed in to be opened or examined previous to putting the same into the ballot box, or makes or places any mark or device on any folded ballot, with a view to ascertain the name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such Inspector, Judge, or Clerk has fraudulently or illegally discovered to have voted for by such elector, is punishable by fine of not less than fifty nor more than five hundred dollars. Every person who forges or counterfeits returns of an election purporting to have been held at a precinct, town, or ward, when no election was in fact held, or willfully substitutes forged or counterfeit returns of election in the place of the true returns of a precinct, town, or ward where an election was actually held, is punishable by imprisonment in the State Prison for a term of not less than two nor more than ten years.

Punishment for fraudulent discovery of ballot by election officers.

Punishment for forging or counterfeiting returns.

SEC. 88. Every person who, by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly, attempts to influence an elector in giving his vote, or to deter him from giving the same, or attempts by any means to awe, restrain, hinder, or disturb any elector in the free exercise of the right of suffrage, or furnishes any elector wishing to vote, who cannot read, with a ticket, informing or giving such elector to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any elector at such election by deceiving and causing such elector to vote for a different person or any office than he intended or desired to vote for, or who, being Inspector, Judge, or Clerk of any election, while acting as such, induces, or attempts to induce, any elector, either by menace, or reward, or promise thereof, to vote different from what such elector intended or desired to vote, shall be guilty of felony, punishable by fine not exceeding one thousand dollars, or imprisonment in the State Prison not exceeding five years, or by both such fine and imprisonment.

Punishment for corrupting or intimidating elector, etc.

SEC. 89. Every person who, with intent to promote the election of himself or any other person, either:

First—Furnishes entertainment at his expense to any meeting of electors previous to or during an election.

Second—Pays for, procures, or engages to pay for any such entertainment.

Third—Furnishes or engages to pay or deliver any money or property for the purpose of procuring the attendance of voters at the polls, or for the purpose of compensating any person for procuring attendance of voters at the polls, except for the conveyance of voters who are sick or infirm.

Fourth—Furnishes or engages to pay or deliver any money or property for any purpose intended to promote the election of any candidate, except for the expenses of holding and conducting public meetings, for the discussion of public questions, and

Punishment for intent to promote election of person. Causes for.

of printing and circulating ballots, handbills, and other papers, previous to such election, shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding six months in the County Jail.

Punish-
ment for
offering
bribe.

SEC. 90. Every person who gives or offers a bribe to any officer or member of any Legislature, caucus, political Convention, committee, primary election, or political gathering of any kind, held for the purpose of nominating candidates for offices of honor, trust, or profit in this State, with intent to influence the person to whom such bribe is given or offered to be more favorable to one candidate than another, shall be guilty of felony, punishable by a fine not exceeding five thousand dollars or ten years imprisonment in the State Prison, or both such fine and imprisonment.

Punish-
ment for
offering
appoint-
ment, etc.,
to office in
considera-
tion of
vote.

SEC. 91. Every person who, being a candidate at any election, offers or agrees to appoint or procure the appointment of any particular person to office, position, or employment as an inducement or consideration to any person to vote for, or procure, or aid in procuring the election of such candidate, or person not being a candidate, who communicates any offer made in violation of this and the preceding section, to any person with intent to induce him to vote for, or to procure or aid in procuring the election of the candidate, shall be deemed guilty of felony, punishable by imprisonment not exceeding five years or a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

Punish-
ment for
selling,
etc., liquors
on day of
election.

SEC. 92. No person shall sell, give away, or furnish, or cause to be sold, given away, or furnished, either for or without pay, within this State, on any day upon which any general election is held, nor within the limits of any county or city on any day upon which any special or municipal election is held therein, any spirituous, malt, or fermented liquors or wines; and any one so doing shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than one thousand dollars, or by imprisonment in the County Jail not less than one nor more than six months, or by both such fine and imprisonment, in the discretion of the Court; and it shall be the duty of Judges of the District Courts of the several Judicial Districts in this State, to specially give this act in charge to every Grand Jury impaneled in their respective districts.

Governor
to issue
proclama-
tion of
rewards for
violations
of Act.

SEC. 93. The Governor is hereby authorized and directed, at least thirty days previous to any general election and fifteen days previous to any special election, to issue a proclamation offering a reward of one hundred dollars for the arrest and conviction of any person violating any of the provisions of this Act, when the crime is a misdemeanor; and a reward of two hundred dollars for the arrest and conviction of any person guilty of felony, as herein provided; and such rewards to be paid until the total amount hereafter expended for the purpose reaches the sum of ten thousand dollars, payable out of any moneys in the State Treasury not otherwise appropriated. And all moneys collected under the provisions of this Act shall revert to the General School Fund of the several counties where such case was brought.

How paid.

SEC. 94. It shall be the duty of the Secretary of State to cause to be printed in pamphlet form a requisite number of copies of this Act, with marginal notes and properly indexed, a suitable number of which shall be forwarded by him to the County Clerks of the several counties of this State, at least sixty days previous to the holding of any general election, and at least twenty days previous to the holding of any special election; and it is hereby made the duty of the said County Clerks to inclose in each and every ballot box sent out by them to be used at the various precincts of their respective counties, five or more copies of said Act, as in their judgment they may deem proper.

Secretary of State required to cause Act to be printed in pamphlet form, etc.

SEC. 95. "An Act relating to elections, the manner of conducting and contesting the same, fraud upon the ballot box, destroying or attempting to destroy the ballot box, illegal or attempted illegal voting and misconduct at elections," approved March ninth, eighteen hundred and sixty-six, and an Act amendatory of the aforesaid Act, approved February twenty-fifth, eighteen hundred and sixty-nine; also, an Act supplementary to the aforesaid Act, approved March fifth, eighteen hundred and sixty-nine, are hereby repealed.

Acts repealed.

• CHAP. CXXII.—*An Act to encourage the construction of a Railroad from Reno to Susanville.*

[Approved March 15, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. W. R. Chamberlin, James Burke, William Webster, William Caughlin, John Larcombe, W. M. Cary, C. C. Powning, William Duck, J. C. Hagerman, G. W. Huffaker, J. E. Jones, James Clark, A. J. Hatch, Thomas Barnett, L. C. Savage, their associates, successors, and assigns, are hereby given and granted the right, privilege, and franchise to build, construct, maintain, and operate a narrow gauge railroad between the Town of Reno, in the County of Washoe, and the State line between this State and the State of California, on any practicable route, to be selected by them, to the Town of Susanville, in the County of Lassen, and State of California, the gauge whereof shall be not less than twenty-eight inches; and the said parties may incorporate under, and have and enjoy all and singular the rights, privileges, and franchises conferred upon Railroad Companies incorporated in this State by the provisions of an Act entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March twenty-second, eighteen hundred and sixty-five, and the Acts amendatory thereof.

Franchise.

Narrow gauge railroad route.

Gauge of road.

Washoe
County
to issue
bonds.

Company
to deliver
stock to
county.

County to
have voice
in affairs of
company.

Condition.

Bonds to be
issued upon
petition.

Form and
amount of
bonds.

SEC. 2. The Board of County Commissioners of the County of Washoe, in this State, are hereby authorized, empowered, and directed to prepare and issue the bonds of said county, in accordance with the provisions and upon the conditions hereinbefore enacted; which bonds, when so issued, shall be delivered to the parties hereinbefore mentioned and their associates, or their successors or assigns, for their benefit; and the parties hereinbefore mentioned, and their associates, or their successors or assigns, shall, at the time of the delivery of said bonds, deliver to the Treasurer of Washoe County, for the use and benefit of said county, certificates of stock of such company as may be hereafter organized or incorporated for the construction and maintenance of said railroad, in an amount equal to the amount of bonds of said county received, under the provisions of this Act, by such company or corporation; *provided*, said Washoe County, in all meetings of stockholders or directors of said railroad company, shall be entitled to stock and representation and vote in proportion to the actual amount of stock so subscribed and paid in by said county, and shall be represented by such person or persons to cast such vote and have such voice as the Board of County Commissioners may, from time to time, designate and direct; said Commissioners having full power to remove any or all such representative person or persons at any and all times. This Act shall be effectual only upon the condition that the paid-up capital stock of said company, as set forth in the original articles of incorporation thereof, shall be represented by stock at par, and shall not, by any act of said corporation, be reduced in number of shares or par value, nor shall said capital stock be increased by division of shares, or subdivision thereof, in new or other shares, nor shall the representation or proportionate vote and voice of said Washoe County in the meetings of stockholders or directors of said company be decreased, increased, or affected by any change in the capital stock, number of shares, or par value thereof, or in any manner whatsoever.

SEC. 3. Whenever the parties mentioned in section one of this Act shall present to the Board of County Commissioners of said county, a petition or petitions signed by the owners, or agents, or representatives of the owners of more than two thirds of the taxable property of such county, as appears by the assessment roll of said county for the then current year, and by more than two thirds in number of the taxpayers of said county, as shown by said assessment roll, which petition states that it is the desire of the signers thereof that the bonds of said county should be issued, then and thereafter, it shall be the duty of said Board of County Commissioners, and it is hereby directed and empowered to prepare the bonds of said county, in the sum of one hundred thousand dollars, and to issue the same, subject to the conditions and restrictions provided in this Act; *provided*, when the Chairman of the Board of County Commissioners of said county shall receive the petition hereinbefore provided, he shall, within ten days thereafter, call a meeting of said Board, at which meeting said petition shall be carefully compared with the county assessment rolls by said Board, and said Commissioners shall first satisfy themselves by such

examination, and by affidavit or oral testimony, as to the genuineness of the signatures upon said petition, that two thirds of the number of taxpayers, and two thirds of the taxable property of said county are actually represented by the signers of said petition, which fact, with the proceedings of said Board at said meeting, shall be entered upon the records of said Board of County Commissioners.

Examination of petition.

SEC. 4. Whenever the parties named in section one of this Act, within eighteen months from the passage of this Act, shall have completed the grading of so much of said railroad from Reno to Susanville as shall be located within this State, and shall have placed the necessary ties thereon, and have constructed the necessary bridges and culverts, and the same shall be in proper condition for receiving the iron superstructure, said Board shall prepare and issue to said parties constructing said railroad, such bonds to the amount of twenty-five thousand dollars; and whenever within two years from the passage of this Act, said parties shall have fully completed so much of said railroad as shall be located within this State, and the same shall be in complete readiness to receive the rolling stock necessary and proper for operation, said Board shall prepare and issue to said parties constructing said railroad, the bonds of said county to the additional amount of twenty-five thousand dollars; and whenever within two years after the passage of this Act, said parties shall have completed the grading of the remainder of said railroad from where the same crosses the line between this State and California, to Susanville, and have placed the necessary ties thereon, and shall have constructed the necessary bridges and culverts, and the same shall be in condition to receive the iron superstructure, said Board shall prepare and issue to said parties the bonds of said county, to the additional amount of twenty-five thousand dollars, and upon the completion of said railroad from Reno to Susanville aforesaid, and placing said railroad in complete readiness to receive the rolling stock at any time within two years from the passage of this Act, the said Board shall prepare and issue to the said parties who shall have constructed the same as aforesaid, the bonds of said county to an additional amount of twenty-five thousand dollars.

Grading to be done, when.

Bridges and culverts.

SEC. 5. The said bonds shall be of such amounts as shall be most salable and convenient; but no bond shall be of a less amount than fifty dollars, and none for a greater amount than one thousand dollars. Said bonds shall be printed with interest coupons attached thereto; shall express on the face of both bonds and coupons that they are payable in United States gold coin; shall bear interest at the rate of seven per cent. per annum, payable semi-annually. The said bonds shall be payable to bearer at the office of the County Treasurer of said county as follows: The first issue of twenty-five thousand dollars in seven years from their date; the second issue of twenty-five thousand dollars in twelve years from their date; the third issue of twenty-five thousand dollars in sixteen years from their date; and the fourth issue of twenty-five thousand

Form and amount of bonds.

Interest.

Bonds to be paid, when.

Bonds signed.	dollars in twenty years from their date. The bonds shall be prepared in proper form, under the direction of the Board, and shall be signed by the Chairman of the Board and County Treasurer, and countersigned by its Clerk, who shall attach thereto the county seal. The coupons for semi-annual interest shall be signed by the Chairman of the Board. Immediately after being notified by the parties aforesaid, constructing said railroad, of the fulfillment of the conditions upon which any of said bonds are to issue as hereinbefore stated, the said Board of Commissioners shall proceed to satisfy themselves by personal inspection, or by the written report, duly verified, of three disinterested persons appointed as examiners by said Board, to inspect and report upon the said railroad, of the performance of said conditions, and on being so satisfied, shall, without delay, prepare, issue, and deliver to the parties entitled thereto, the bonds as hereinbefore directed.
Interest coupons.	
Examination of road by County Commissioners.	
Special tax to be levied	SEC. 6. From and after the issuance of said bonds, or any set thereof, the Board of County Commissioners of said county shall annually, at the same time and in the same manner as other county taxes are levied, levy a special tax of one fourth of one per cent. on all the taxable property of Washoe County, for each set of said bonds of the amount of twenty-five thousand dollars, issued as hereinbefore provided, to be applied exclusively to an Interest and Sinking Fund, for the payment of the bonds and coupons to be issued as herein provided; and the faith of the State of Nevada is hereby pledged that this Act shall not be repealed, or so modified as in any way to impair the security of those who shall hold or purchase the bonds herein provided for.
Tax, how applied.	
Faith of State of Nevada pledged.	
Tax, how levied, assessed, and collected.	SEC. 7. The said tax shall be levied, assessed, and collected in the same manner as other county taxes; and if the said Board of County Commissioners should fail to make the levy in this Act provided for, at the proper time, the County Auditor of said county shall extend said tax upon the assessment roll of the county, and the Tax Collector shall proceed to collect the same, as if the levy had been made by the County Commissioners, and when the taxes hereby provided for are not paid to the Tax Collector they shall be collected by the District Attorney, as delinquent taxes for other county purposes are collected, and the failure of the Board of County Commissioners to levy the said tax shall in no way invalidate the tax, or any proceeding to collect the same.
County Auditor to extend tax, when.	
Delinquent taxes, how collected.	
Railroad Interest and Sinking Fund created. Fund, how applied.	SEC. 8. The proceeds of said tax shall be placed by the County Treasurer in a separate Fund, to be known as the Railroad Interest and Sinking Fund, and shall be applied: first, to the payment of the interest on said bonds as the same shall become due; and, second, to the redemption of said bonds, in the manner prescribed in the next section.
Surplus of Fund, how applied.	SEC. 9. Whenever all interest due on said bonds shall have been fully paid, and there shall be in said Fund a surplus to the amount of five thousand dollars or more, which, upon a fair estimate of the probable receipts into the same, will not be needed for the payment of the future interest to accrue within the next succeeding twelve months, the Board of County Commissioners, after having ascertained the amount of said surplus,

shall insert an advertisement in at least one newspaper published in said county, and one newspaper published in Storey County, for the period of at least two weeks, inviting sealed proposals to surrender said bonds, to be made and filed with the Clerk of said Board, on or before a day certain therein named. At the next meeting after said day the Board shall open said sealed proposals as shall have been filed on or before the day fixed in said advertisement, and to the extent of the amount named shall purchase the bonds so offered, giving the preference in all cases to the bidder who shall offer to surrender said bonds at the lowest price; *provided*, that no offer shall be accepted for more than the par value of said bonds.

Notice
inviting
sealed
proposals to
surrender
bonds.

Acceptance
of bids.

CHAP. CXXIII.—*An Act to amend an Act entitled "An Act to encourage the construction of a Railroad in the eastern portion of the State of Nevada," approved February twenty-first, A. D. one thousand eight hundred and seventy-one.*

[Approved March 15, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act entitled "An Act to encourage the construction of a Railroad in the eastern portion of the State of Nevada," approved February twenty-first, A. D. one thousand eight hundred and seventy-one, is hereby amended so as to read as follows:

Section One. The Eastern Nevada Railroad Company, a company heretofore organized and created, and now existing under and by virtue of the laws of the State of Nevada, is hereby given and granted the right, privilege, and franchise of building, constructing, maintaining, and operating a railroad, with iron rail, between the Town of Elko, in the County of Elko, and the City of Hamilton, in the County of White Pine, the gauge whereof shall not be less than thirty-six inches, and the grade thereof shall not exceed one hundred and twenty feet to the mile. And the said company is hereby vested with, and shall have and enjoy all and singular the rights, privileges, and franchises conferred upon railroad companies incorporated in this State by the provisions of an Act entitled "An Act to provide for the incorporation of Railroad Companies and the management of the affairs thereof, and other matters relating thereto," approved March twenty-second, eighteen hundred and sixty five, and the Acts amendatory thereof.

Franchise
granted.

Benefits of
General
Railroad
Act
conferred.

SEC. 2. Section two of said Act is hereby amended so as to read as follows:

Section Two. The Board of County Commissioners of the County of Elko, in this State, and, also, the Board of County Commissioners of the County of White Pine, in this State, are hereby respectively authorized, empowered, and directed to

County
Commissioners of
Elko and
White Pine
Counties to
issue bonds

prepare and issue the bonds of their respective counties, upon the conditions and pursuant to the provisions of said Act, as well as of this amendatory Act; which said bonds, when so issued, shall be delivered to the said Eastern Nevada Railroad Company for its benefit.

SEC. 3. Section four of said Act is hereby amended so as to read as follows:

Bonds
of Elko
County,
when to
issue.

Examina-
tion of road
by County
Commis-
sioners
of Elko
County.
Petition.

Additional
sections of
railroad.

Proportion
of Elko
County
bonds to
issue.
Remainder
of Elko
bonds,
when to
be issued.

White Pine
County
bonds, first
install-
ment, when
to issue.

Examina-
tion by
Commis-
sioners of
White Pine
County.

Proportion
of bonds
to road.

Succeeding
install-
ments of
bonds.

Section Four. Whenever the said Eastern Nevada Railroad Company shall have graded, laid the ties, and a good quality of iron rails, known as the T or H rails, or other rails of equal utility, and completed and prepared, ready for the reception of the rolling stock, ten miles of said railroad, commencing at the said Town of Elko, and such facts shall appear to the Board of County Commissioners of the said County of Elko, by the affidavit of the engineer of said company and by examination made by the said Board, and the petition of the taxpayers of said county—mentioned in section three of said Act—shall have been presented to said Board, then said Board shall, and it is hereby directed to prepare and issue and deliver to said Eastern Nevada Railroad Company bonds of said county to an amount which shall bear the same proportion to the whole amount of bonds to be issued, as specified in said petition, as said ten miles of railroad bears to the whole length of road proposed to be constructed in said county, as shown by the survey of the road; and thereafter, upon the completion, ready for the rolling stock, as hereinbefore provided, of each succeeding and continuous section of ten miles of said road, in said county, a like amount of said bonds shall, by said Board, be issued and delivered to said company, until the completion of the last section of ten miles or less in said county, when, and at which time, the whole amount of said bonds remaining unissued shall be issued and delivered to said company; and whenever the said road shall have been so constructed to the dividing boundary line between said counties, and said company shall have graded, laid ties and rails of the quality and kind above mentioned, and completed and prepared, ready for the rolling stock, ten miles of said road in said County of White Pine, commencing at the point where the said road shall cross said boundary line, and such fact shall appear to said Board of County Commissioners of White Pine County, by the affidavit of the engineer of said company, and by examination made by said Board, and the petition of the taxpayers of said county—mentioned in said section three—shall have been presented to said Board, then said Board shall, and it is hereby directed to prepare, issue, and deliver to said company bonds of said county to an amount which shall bear the same proportion to the whole amount of bonds to be issued as specified in said petition as the said ten miles of railroad bears to the whole length of the road proposed to be constructed in said county, as shown by the survey of said road; and thereafter, upon the completion, ready for the rolling stock, as hereinbefore provided, of each succeeding and continuous section of ten miles of said road, a like amount of said bonds shall be issued and delivered by said Board to said company until the completion of the last section of ten miles or less in said county, when, and at which time, the whole amount of said bonds

remaining unissued shall be issued and delivered to said company; *provided*, that the whole distance for which bonds have been issued shall, at the time of each subsequent application for issuance of bonds, be completed, ready for the rolling stock, as hereinbefore provided. The locating survey of the route of said road, made by the said company, shall be used for the purpose of determining the amount of the installments of bonds to be issued, as the sections of the road are completed as aforesaid; *provided*, that in constructing said road it shall not be necessary to adhere strictly to the line of said survey, but the general route of the road, as laid down on said survey, shall not be varied. For all the purposes of said Act, as well as of this amendatory Act, it shall be immaterial whether said petitions, or either of them, were signed and made in whole or in part before or after the passage of this amendatory Act, and said petitions, if signed before, as well as all actions taken under said Act by the taxpayers of said counties, or by said company, or by the said Boards respectively, shall be as valid and binding, and have the same force and effect, as if done after the passage of this amendatory Act.

Remaining White Pine County bonds to be issued, when.

Petition, when made

SEC. 4. Section six of said Act is hereby amended so as to read as follows:

Section Six. Immediately after being notified of the fulfillment of the conditions upon which any set of said bonds are to issue, the Board of County Commissioners, whose duty it shall be to issue that set of bonds, shall, by personal inspection, or otherwise, proceed to ascertain if said conditions have been performed, and if, in fact, said conditions have been performed, said Board shall, without delay, prepare, issue, and deliver said set of bonds to the said company, as in said Act, and in this amendatory Act, directed.

Bonds, when to be delivered.

Examination of road by County Commissioners.

SEC. 5. Section seven of said Act is amended so as to read as follows:

Section Seven. From and after the issuance of said bonds, or any portion or set thereof, the Board of County Commissioners of the proper county, shall annually, at the same time and in the same manner as other county taxes are levied, levy a special county tax, sufficient in amount to pay the semi-annual interest upon said bonds; and after the fifth year from their issuance, an amount sufficient to pay, in addition to the interest, one fifteenth part of the principal of the whole amount of said bonds; and the tax so levied shall be assessed and collected in the same manner, at the same time, and by the same officers, as other county taxes.

Special tax to be levied.

Tax after fifth year.

SEC. 6. Section ten of said Act is hereby amended so as to read as follows:

Section Ten. The said Eastern Nevada Railroad Company shall, within six months from the approval of this Act, complete a locating survey of said route, and commence the grading of the road, and shall, on or before the first day of July, A. D. eighteen hundred and seventy-four, complete fifty miles of said road; and shall, on or before the first day of July, A. D. eighteen hundred and seventy-five, complete the entire road from Elko, in Elko County, to Hamilton, in White Pine County; *provided*, that the completion or furnishing of the en-

Survey and completion of portion of road, when required to be done.

tire road shall not be taken as a condition precedent to the issue of said bonds; but the same shall be issued upon the construction of sections of said road as hereinbefore provided.

CHAP. CXXIV.—*An Act to purchase the compilation of the laws of Nevada.*

[Approved March 18, 1873.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Purchase of
compila-
tion of laws
authorized.

SECTION 1. The Secretary of State, Attorney General, and Clerk of the Supreme Court are hereby authorized and directed to contract with Bonnifield and Healy for the purchase of their compilation of the laws of Nevada, for the use and benefit of the State; *provided*, that the entire manuscript thereof shall not cost to exceed the sum of six thousand dollars.

Contract,
provisions
of.

SEC. 2. The contract shall require said Bonnifield and Healy to incorporate in said compilation all the Acts passed at this session of the Legislature; and the Secretary of State shall furnish the compilers copies of the enrolled bills of all said Acts within twenty days after the close of this session.

Payments,
when made

SEC. 3. One half of the purchase money shall be paid upon the passage of this Act, and the balance upon the manuscript of said compilation being delivered to the Secretary of State, with the Acts of this session incorporated therein, and all completely indexed.

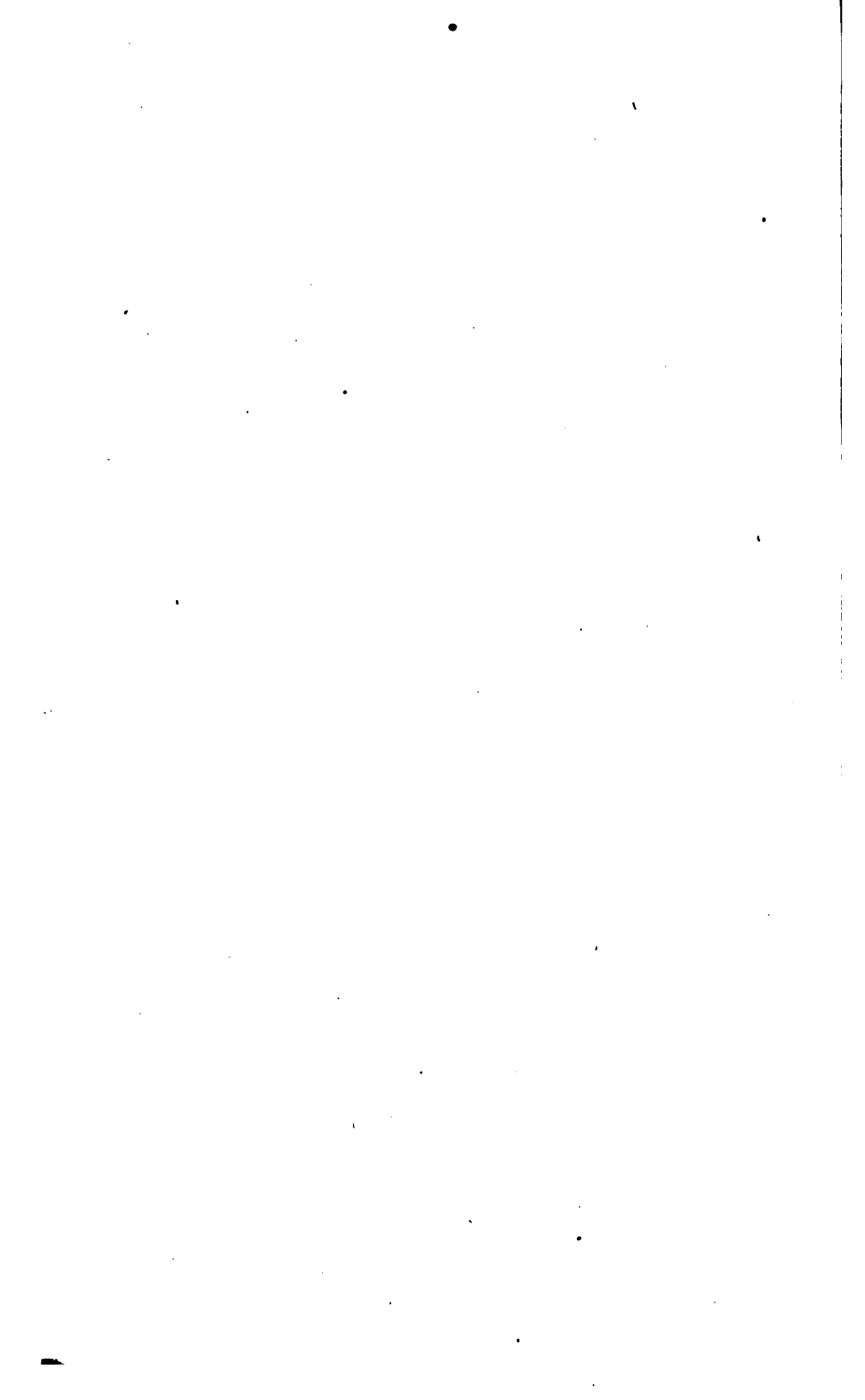
Controller
to draw
warrants.

SEC. 4. The State Controller is hereby directed to draw his warrants in favor of said Bonnifield and Healy on the State Treasurer for said purchase money, in accordance with the provisions of section three of this Act; and the State Treasurer is hereby directed to pay said warrants out of any moneys in the State Treasury, not otherwise appropriated.

Appropriation.

SEC. 5. For the purpose of paying said purchase money, as aforesaid, the sum of six thousand dollars is hereby appropriated out of any moneys in the State Treasury, not otherwise specifically appropriated.

RESOLUTIONS AND MEMORIALS.



RESOLUTIONS AND MEMORIALS

PASSED AT THE

SIXTH SESSION OF THE NEVADA LEGISLATURE, 1873.

ASSEMBLY RESOLUTIONS.

No. I.—*Assembly Concurrent Resolution.*

[Passed January 10, 1873.]

Resolved, by the Assembly, the Senate concurring, That four hundred copies of the Joint Rules of the Senate and Assembly be ordered printed. Relative to printing Joint Rules

No. II.—*Assembly Concurrent Resolution.*

[Passed January 14, 1873.]

Resolved, by the Assembly, the Senate concurring, That four hundred and eighty copies of Assembly Concurrent Resolution Number One, concerning Central Pacific Railroad, be printed. Relative to printing resolution concerning C. P. R. R.

No. III.—*Assembly Concurrent Resolution.*

[Passed January 21, 1873.]

Resolved, by the Assembly, the Senate concurring, That the Board of Regents be requested to make a full report of all their doings, during their term of office; also, would suggest to Relative to report of Regents.

them the propriety of making any recommendation necessary to the speedy furtherance of the contemplated advantages to be obtained by a State University.

No. IV.—*Assembly Concurrent Resolution.*

[Passed February 5, 1873.]

Relative to
printing
report of
Com. State
Orphans'
Home.

Resolved, by the Assembly, the Senate concurring, That four hundred and eighty copies of the Report of the Commissioners of the State Orphans' Home be ordered printed.

No. V.—*Assembly Concurrent Resolution.*

[Passed February 12, 1873.]

Frank
Owen
granted
leave of
absence.

Resolved, by the Assembly, the Senate concurring, That Frank Owen, District Attorney of Nye County, Nevada, be granted leave of absence from the State for a term of four months, at any time he may select during his present term of office; *provided*, he will appoint a competent deputy to attend to the duties of his office during said absence.

No. VI.—*Assembly Concurrent Resolution.*

[Passed February 17, 1873.]

Relative to
committee
to report
on matter
of donation
of lands to
the State
by the
General
Govern-
ment for
metallur-
gical and
University
purposes.

WHEREAS, Congress having donated certain lands, at different times, for metallurgical and University purposes, to the people of the State of Nevada; and, whereas, said donations being conditional, and precedent action upon the part of the citizens of this State being required, in order that they may avail themselves of the benefits of said donations; therefore,

Resolved, That a joint committee, consisting of six, be appointed, three from the Assembly and three from the Senate, for the purpose of considering the whole subject matter, as above indicated, and report the result of their deliberations, by bill or otherwise.

No. VII.—*Assembly Concurrent Resolution.*

[Passed February 17, 1873.]

WHEREAS, The cause of the State of Nevada against Henry Roades, administrator of the estate of Eben Roades, deceased, et al., is set for trial in the District Court of the Third Judicial District of the State of Nevada, in and for Lyon County, on Wednesday, the nineteenth day of February, A. D. eighteen hundred and seventy-three; and, whereas, the subject matter of said suit is now pending before the present Legislature for its consideration and action; therefore be it

Relative to
the contin-
uance of
the suit of
the State of
Nevada vs.
H. A.
Roades
et als.

Resolved, by the Assembly, the Senate concurring, That the suit of the State of Nevada against Henry Roades, administrator, etc., et al., be, and the same is hereby continued for this term of the said Court; and the Attorney General of the State is hereby requested and directed to enter into a stipulation with the attorneys for the defendants in said cause, continuing the same for the term.

No. VIII.—*Assembly Concurrent Resolution.*

[Passed February 18, 1873.]

Resolved, by the Assembly, the Senate concurring, That Lemuel Allen, the present acting Prosecuting Attorney of Churchill County, in this State, be allowed leave of absence for four months at any time during the term of his office.

Lemuel
Allen
granted
leave of
absence.

No. IX.—*Assembly Concurrent Resolution.*

[Passed February 20, 1873.]

Resolved, by the Assembly, the Senate concurring, That Noah Blossom, Treasurer of Douglas County, be, and he is hereby, granted leave of absence from the State for the term of five months, at any time during the present year that he may select; *provided*, that he shall leave a competent and responsible deputy to discharge the duties of said office during his absence.

Noah
Blossom
granted
leave of
absence.

No. X.—*Assembly Concurrent Resolution.*

[Passed March 5, 1873.]

Relative to
abandoned
military
reserva-
tions in
Nevada.

WHEREAS, Many military reservations within our State having been practically abandoned by the Government, and that such reservations can no longer be of any benefit to the General Government, and that permanent settlements are growing up about those reservations, and that the lands covered by these reservations are well adapted to cultivation and grazing, and that settlers are anxious to acquire them for permanent homesteads; therefore, be it

Resolution
requesting
the General
Govern-
ment to
vacate such
reserva-
tions.

Resolved, That our Senators be directed, and our Representative be requested, to use all honorable means to have the General Government relinquish its title to such reservations, and that they be subject to settlement as other public lands.

SENATE RESOLUTIONS AND MEMORIALS.

No. I.—*Senate Concurrent Resolution.*

[Passed January 8, 1873.]

Relative to
printing
Governor's
message.

Resolved, by the Senate, the Assembly concurring, That one thousand copies of the Governor's Message be printed—two hundred and fifty for the Governor, two hundred and fifty for the Senate, and five hundred for the Assembly.

No. II.—*Senate Concurrent Resolution.*

[Passed January 14, 1873.]

Relative to
printing,
etc. Report
of Superin-
tendent of
Public In-
struction.

Resolved, by the Senate, the Assembly concurring, That one thousand (1,000) copies of the report and accompanying documents of the State Superintendent of Public Instruction be printed, two hundred (200) copies thereof being for the use of the members of the Senate, and four hundred (400) copies thereof for the use of members of the Assembly, and one hundred (100) copies to be delivered to the Secretary of State, and the balance to be delivered to the Superintendent of Public Instruction, for the use of School District Trustees, County Superintendents, and others in his department, and to supply exchanges with States and counties.

No. III.—*Senate Concurrent Resolution.*

[Passed January 14, 1873.]

Resolved, by the Senate, the Assembly concurring, That the Sergeant-at-Arms of the Senate is hereby directed to deliver to the Sergeant-at-Arms of the Assembly, for the use of the Assembly, two thirds of the number of the copies of all bills printed by order of the Senate; and the Sergeant-at-Arms of the Assembly is hereby directed to deliver to the Sergeant-at-Arms of the Senate, for the use of the Senate, one third of the number of copies of all bills printed by order of the Assembly.

Relative to
distribution of
printed
bills.

No. IV.—*Senate Concurrent Resolution.*

[Passed January 14, 1873.]

Resolved, by the Senate, the Assembly concurring, That a committee of five be appointed—two by the Senate and three for the Assembly—to examine Bonnifield and Healy's compilation of the statutes of Nevada, and to report upon the form, style, and correctness of the work, its value, and the propriety of the State purchasing the same.

Relative to
committee
to examine
compila-
tion of
statutes.

No. V.—*Senate Concurrent Resolution.*

[Passed January 15, 1873.]

Resolved, by the Senate, the Assembly concurring, That twelve hundred (1,200) copies of the report of the State Controller be printed—fifty (50) copies thereof for the State Library; three hundred (300) copies thereof for the use of the members of the Senate; five hundred and fifty (550) copies thereof for the use of the members of the Assembly; three hundred (300) copies thereof for the use of the Controller, to supply the various county officials, and exchange with the several States and Territories.

Relative to
printing,
etc., Report
of State
Controller.

No. VI.—*Senate Concurrent Resolution.*

[Passed January 20, 1873.]

Resolved, by the Senate, the Assembly concurring, That twelve hundred (1,200) copies of the report of the State Treasurer be printed—fifty (50) copies thereof for the State Library; three hundred (300) copies thereof for the use of the members of the

Relative to
printing,
etc., Report
of State
Treasurer.

Senate; five hundred and fifty (550) copies thereof for the use of the members of the Assembly; and three hundred (300) copies thereof for the use of the Treasurer, for the purpose of supplying the various county officers and exchanging with States and Territories.

No. VII.—*Senate Concurrent Resolution.*

[Passed January 23, 1873.]

Bidleman
granted
leave of
absence.

Resolved, by the Senate, the Assembly concurring, That H. J. Bidleman, Recorder of Lander County, is hereby granted leave of absence from the State for the period of six months, at any time during his term of office; *provided*, that said County Recorder shall have a competent deputy to discharge all the duties of said office required by law during his absence.

No. VIII.—*Senate Concurrent Resolution.*

[Passed January 23, 1873.]

Travis
granted
leave of
absence.

Resolved, by the Senate, the Assembly concurring, That W. S. Travis, Sheriff of Lincoln County, have leave of absence for six months.

No. IX.—*Senate Concurrent Resolution.*

[Passed January 23, 1873.]

Relative to
printing
proceed-
ings of
Senate and
Assembly
in election
of United
States
Senator.

Resolved, by the Senate, the Assembly concurring, That two thousand and five hundred copies of the proceedings of the Senate and Assembly relating to the election of United States Senator, together with the remarks of the Hon. J. P. Jones before the Joint Convention of the two Houses, be printed in pamphlet form, one thousand copies for the use of the Senate, fifteen hundred copies for the use of the Assembly.

No. X.—*Senate Concurrent Resolution.*

[Passed January 28, 1873.]

Hall and
Murphy
granted
leave of
absence.

Resolved, by the Senate, the Assembly concurring, That W. H. Hall, County Treasurer of Esmeralda County, and M. A. Murphy, District Attorney of said county, be, and are hereby, each granted leave of absence from said county, for the period of six months, at any time they may select during their term of office; *provided*, each shall leave a competent deputy to act in his stead during such absence.

No. XI.—*Memorial and Joint Resolution relative to extending the Government surveys over the public lands in the State of Nevada.*

[Passed January 31, 1873.]

To the honorable the Senate and House of Representatives in Congress assembled:

Your memorialist, the Legislature of the State of Nevada, respectfully represent to your honorable bodies, that, in point of area, Nevada is the third State in the Union; that the Government survey has been extended over only a very small portion of the public lands of the State; and that there are within said State large bodies of desirable agricultural and grazing lands not yet surveyed; and that a large number of inhabitants have settled upon said unsurveyed lands for the purpose of making homes thereon, and that said inhabitants are anxious to secure title to the lands upon which they have so settled; therefore, be it

Relative to
extending
Govern-
ment
surveys.

Resolved, by the Senate and Assembly of the State of Nevada, That our Senators in Congress be instructed, and our Representative in Congress requested, to use all proper means to have at least one hundred thousand dollars appropriated for the purpose of extending the public surveys in the State of Nevada, during the year eighteen hundred and seventy-three.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing to each of our Senators and Representative in Congress.

No. XII.—*Senate Concurrent Resolution.*

[Passed February 3, 1873.]

Resolved, by the Senate, the Assembly concurring, That P. B. Miller, County Clerk of Lincoln County, be granted leave of absence from the State for the term of six months, at any time he may designate during his term of office.

P. B. Miller
granted
leave of
absence.

No. XIII.—*Senate Concurrent Resolution.*

[Passed February 4, 1873.]

Resolved, by the Senate, the Assembly concurring, That nine hundred and sixty copies of the Report of the Select Committee on Centennial Affairs be published for the use of the members of the two bodies, apportioned according to their numbers respectively.

Printing
Report of
Select
Committee
on Centennial
Affairs

No. XIV.—*Senate Concurrent Resolution.*

[Passed February 4, 1873.]

Printing,
etc., Report
of Mineral-
ogist.

Resolved, by the Senate, the Assembly concurring, That two thousand copies of the Report of the State Mineralogist be printed, to be used as follows: One hundred copies for each of the Centennial Commissioners; fifty copies for each of the Commissioners to the International Exhibition at Vienna; one hundred for each of our Representatives in Congress; two hundred and fifty for the Senate; five hundred for the Assembly; two hundred and fifty for the State Mineralogist; and four hundred for the Secretary of State and Librarian—five hundred copies of which shall be bound in cloth, and distributed *pro rata*; *provided*, that such cloth binding shall not be an additional cost of more than twenty-five cents per copy.

No. XV.—*Memorial and Joint Resolution relative to public lands in the State of Nevada.*

[Passed February 6, 1873.]

To the Honorable the Senate and the House of Representatives, in Congress assembled:

Relative to
sixteenth
and
thirty-sixth
sections of
public
lands.

Your memorialist, the Legislature of the State of Nevada, respectfully represent to your honorable bodies, that a portion of the sixteenth and thirty-sixth sections of the public lands in said State are mountainous and unfit for cultivation, other portions are of a mineral and saline character, and a large majority of said sections are unsurveyed; and, whereas, your memorialist, being anxious to place the school system of our young State on a footing with other States, and therefore being desirous of realizing at as early a day as possible the proceeds of said lands, for common school purposes, and as the number yet unsold in said sixteenth and thirty-sixth sections would be, when surveyed, about three million nine hundred thousand acres, and the State of Nevada having sold only about twenty-seven thousand acres of said grant, therefore your memorialist respectfully request that the Act of Congress donating said sixteenth and thirty-sixth sections to the State of Nevada be repealed, so far as the unsold portion of said grant is concerned, and that Congress pass an Act granting to the State of Nevada, in lieu thereof, one million acres of the public land, be given to the State of Nevada, for the support of common schools, to be selected as other grants heretofore made to the State of Nevada; therefore, be it

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress be and hereby are instructed, and our Representative in Congress be and hereby is requested, to use

all proper means to procure the legislation above asked; be it further

Resolved, That his Excellency the Governor be requested to forward a copy of this memorial to each of our Senators and our Representative in Congress.

No. XVI.—*Senate Concurrent Resolution.*

[Passed February 7, 1873.]

Resolved, by the Senate, the Assembly concurring, That James W. Richards, County Auditor of Churchill County, be, and he is hereby, granted leave of absence from this State, for the period of six months; *provided*, he shall have a deputy competent, faithfully to discharge the duties of said office of County Auditor during said period.

No. XVII.—*Memorial and Joint Resolution relative to public lands in the State of Nevada.*

[Passed February 11, 1873.]

To the Honorable the Senate and House of Representatives in Congress assembled:

Your memorialist, the Legislature of the State of Nevada, most respectfully represent, That there are in the State of Nevada several hundred thousand acres of saline, borax, and soda lands, and that a portion of said lands are being worked with profit for the production of borax, soda, and salt; that this branch of industry is fast becoming one of the leading interests of the State of Nevada; that about one hundred thousand acres of said lands have been settled upon and are being worked and held under the possessory laws of the State of Nevada, and in order that this branch of industry may be protected, and that capital may find a permanent and profitable investment, and for the purpose of avoiding future legislation, and that title may be acquired to this class of lands; therefore, be it

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress are hereby instructed, and our Representative in Congress be and hereby is requested, to use all proper means to secure the passage of an Act by Congress that will enable the State of Nevada to select said saline, borax, and soda lands under and by virtue of the various grants that have heretofore been made by Congress to the State of Nevada.

Relative to saline, borax, and soda lands.

Representatives in Congress to use all proper means to secure passage of Act to enable State to select lands.

Governor requested to transmit copies of resolutions. *Resolved*, That his Excellency the Governor be requested to transmit a copy of the foregoing resolutions to each of our Senators and to our Representative in Congress.

No. XVIII.—*Senate Concurrent Resolution.*

[Passed February 11, 1873.]

Relative to printing Report of Surveyor General and Land Register. *Resolved*, by the Senate, the Assembly concurring, That twelve hundred copies of the Report of the Surveyor General and State Land Register be printed—fifty copies thereof for the State Library, three hundred copies thereof for the Senate; five hundred and fifty copies thereof for the Assembly; and three hundred copies for the use of the Surveyor General and Register of State Land Office, for distribution and supplying exchanges.

No. XIX.—*Senate Concurrent Resolution.*

[Passed February 11, 1873.]

Printing Report of Joint Committee to Visit Insane. *Resolved*, by the Senate, the Assembly concurring, That four hundred and eighty copies of the report of the Joint Committee to Visit the Insane be ordered printed.

No. XX.—*Senate Concurrent Resolution.*

[Passed February 12, 1873.]

Joint Committee required to examine all compilations of laws of Nevada. *Resolved*, by the Senate, the Assembly concurring, That the joint committee appointed to examine the Bonnifield and Healy compilation of the laws of Nevada, be authorized to examine all compilations of the laws of this State which may be presented to the committee, and to report as to the comparative merit and value of such revisions or compilations.

No. XXI.—*Senate Concurrent Resolution.*

[Passed February 12, 1873.]

WHEREAS, A proper consideration of the convenience, not to Preamble. say, rightful demands, of the general public, is paramount to the selfish interests and questionable aims of corporate monopolies; and, whereas, the rapid dissemination of intelligence throughout the country is not only conducive to the enlightenment of its citizens, its general prosperity, and consequent increase of population, but is also a growing necessity, and should therefore be placed within the reach of all classes of citizens; and, whereas, the social and commercial interests existing between the several States of the Union would be incalculably benefited by the adoption of rapid and cheaper means of intercommunication throughout our common country; and, whereas, it is believed that this most desirable end can only be attained by the adoption of the postal telegraph system, as recommended by the Postmaster General in his recent annual report; therefore, be it

Resolved, by the Senate, the Assembly concurring, That our Senators be instructed and our Representative in Congress requested, to use all legitimate means within their power to secure the passage of a law embodying the most beneficial and liberal provisions of the several bills now pending in Congress for the establishment of a postal telegraph. Be it further

Postal telegraph, relative to establishment of.

Resolved, That his Excellency the Governor of Nevada be requested to transmit a copy of these resolutions to each of our Representatives in Congress.

Governor to transmit copies.

No. XXII.—*Senate Concurrent Resolution.*

[Passed February 12, 1873.]

Resolved, by the Senate, the Assembly concurring, That John S. Shoemaker, County Clerk of Washoe County, be, and he is hereby, granted leave of absence from this State for the period of six months, at such time as he may select during his present term of office; *provided*, that he leaves a competent deputy to perform the duties of his office as required by law.

John S. Shoemaker granted leave of absence.

No. XXIII.—*Joint Memorial and Concurrent Resolution relative to the coal lands of the State of Nevada.*

[Passed February 20, 1873.]

To the Honorable the Senate and House of Representatives of the United States:

Relative to
coal lands.

Your memorialist, the Legislature of the State of Nevada, respectfully represent, that the increasing scarcity of wood for fuel in the State of Nevada, warrants us in assuring your honorable bodies, that unless relief be found to the drain upon our rapidly disappearing forests by the development of coal mines within the State, gold and silver mining in Nevada will soon be seriously embarrassed and attended by expense rendering the working of low grade ores unprofitable; that thus far, although considerable sums of money have been expended during the past ten years in searching for coal within the State, no coal of a good quality has been found; that under Acts of Congress, approved July first, eighteen hundred and sixty-four, and March third, eighteen hundred and sixty-five, all public lands upon which coal may be discovered after that date must be sold at public auction at a minimum price of twenty dollars per acre, giving the discoverer no preferred privileges, either in the preëmption or purchase of such lands, and subjecting him to an entire loss of the time, labor, and money expended in making such discovery; that under the circumstances prospecting for coal in the State of Nevada, involving an extremely hazardous outlay of capital, has almost entirely ceased, with no reasonable probability of its resumption without the special interposition of your honorable bodies. Wherefore, your memorialist respectfully petition your honorable bodies will grant encouragement to the search for coal in the State of Nevada by exempting the State from the operations of said Act of July first, eighteen hundred and sixty-four, and Act of March third, eighteen hundred and sixty-five, and by further allowing the discoverer or discoverers of coal within the State, the preferred right to preëmpt and purchase, if upon the public domain, one hundred and sixty acres of the lands, upon which discoveries of coal may be made, at such price per acre as may seem just and reasonable to your honorable bodies.

Congress to
grant coal
discoverer
preferred
right to
purchase.

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress are hereby instructed, and our Representative be requested, to use their endeavors to secure the passage of a law that will accomplish the object set forth in this memorial; and,

Governor
to transmit
copies.

Resolved further, That the Governor be requested to forward a copy of this memorial and resolution to each of our Senators and to our Representative in Congress, inviting their earnest and early attention to the subject.

No. XXIV.—*Memorial.*

[Passed March 1, 1873.]

To the Honorable the Senate and House of Representatives in Congress assembled:

Your memorialist, the Legislature of the State of Nevada, respectfully represent, That during the Winter of 1859–60, and the Spring of 1860, the Indians inhabiting what was then the western portion of Utah Territory, now forming the State of Nevada, became hostile to the whites, and recurring massacres made it necessary to call for volunteers in California, and in the threatened section of what was then Utah, now State of Nevada, in aid of the few United States troops available in the emergency; that in the operations of the regulars and volunteers against the Indians, in the necessary defense of the white settlements, Emanuel Penrod, now of Carson City, Nevada, had taken from and impressed by said troops and volunteers, to wit: two large fine American mules, the property of said Penrod, and of the value of five hundred dollars, and also, certain lumber and building material, of the value of twenty-two hundred dollars. That said United States troops, while operating against said Indians, were stationed at Carson City for the period of about one month, and during said time occupied a building then in course of erection, belonging to said Penrod. That during their forced occupancy of said premises by the regulars, they used for fuel and destroyed lumber and building material belonging to said Penrod to the amount and value of twenty-two hundred dollars, as aforesaid; that by the occupancy of said premises, as aforesaid, the completion thereof was delayed for more than two months, to the damage and injury of said Penrod in the sum of four hundred dollars, as the same was leased at the monthly sum and rental of two hundred dollars, to commence upon the completion of the building; and, whereas, said Penrod has never received any compensation for said losses and damages; now, therefore, your memorialist, the Legislature of the State of Nevada, respectfully petition your honorable body to pass an Act for the relief and compensation of said Penrod as would be just in the premises, and our Senators in Congress are hereby instructed, and our Representative requested, to use all reasonable diligence and efforts to secure the passage of such an Act.

Emanuel
Penrod,
memorial
for relief to.

Petition
and
memorial.

Resolved, That the Governor of the State be, and he is hereby, requested to transmit a certified copy of the foregoing memorial to each of our Senators and Representative in Congress.

Governor
to transmit
copies.

No. XXV.—*Relative to Central Pacific Railroad Company obtaining patents to lands.*

[Passed March 8, 1878.]

Relative to
Central
Pacific
Railroad
Company
obtaining
patents to
lands.

WHEREAS, By the fourth section of an Act of the Congress of the United States, approved July first, eighteen hundred and sixty-two, and the sixth section of an Act of the Congress of the United States approved July second, eighteen hundred and sixty-four, it is provided that whenever the Central Pacific Railroad Company shall have completed and equipped twenty consecutive miles of railroad and telegraph line, and it shall so appear to the President of the United States by the reports of Commissioners for that purpose appointed, patents shall issue conveying to said company the right and title to the lands granted in aid of the construction of said railroad and telegraph line; and, whereas, said railroad and telegraph line have long since been reported and certified complete throughout the entire line and route by the Commissioners thereunto appointed; and, whereas, in consequence of restrictive and embarrassing orders issued by the honorable Secretary of Interior, said railroad company has neglected to apply for or receive patents for said lands, lying within the bounds of the State of Nevada, and has consequently been unable to return said lands for taxation, thereby depriving the State of taxes on the same; and, whereas, a large portion of said land is valuable only for the timber growing upon it, and is being stripped by trespassers of the timber and rendered valueless to the State, the General Government, and said railroad company; and, whereas, it has been represented that the railroad company has been refused patents for their lands by the rulings of the honorable Secretary of the Interior; therefore, be it

Resolution. *Resolved*, by the Senate, the Assembly concurring, That our Senators be, and they are hereby, instructed, and our member of Congress be, and he is hereby, requested, to use all honorable endeavors to secure the passage of a law setting aside the orders of the honorable Secretary of the Interior, which prevent said railroad company from making application for patents for said lands, and requiring said railroad company to make application for patents for said lands, and also requiring the honorable Secretary of the Interior to issue patents for said lands at the earliest day practicable.

Resolved, That each of our Senators and our member of Congress be, and they are hereby, requested to transmit, at an early day, to his Excellency the Governor, any information they may have relative to railroad lands in the State of Nevada.

Governor
to transmit
copies.

Resolved, That his Excellency the Governor be, and he is hereby, requested to transmit copies of these resolutions to each of our Senators and our Representative in Congress, to the Secretary of the Interior, and to the Commissioner of the General Land Office.

No. XXVI.—*Concurrent Resolution relative to Mail Service between Reno, Washoe County, Nevada, to Greenville, in Indian Valley, Plumas County, California.*

[Passed March 6, 1873.]

WHEREAS, There is a direct road from Reno, Washoe County, Nevada, via Long Valley, Beckwourth Pass, Sierra Valley, Clove and Genesee Valleys, to Greenville and Taylorsville, in Indian Valley, Plumas County, California, which can be and has been traversed by stages and wagons, at all times during the past Winter, which road has been declared a post route, by Act of Congress of June, eighteen hundred and seventy-two; and, whereas, no mail contract has been let thereon, and no adequate service is contemplated, as indicated by the advertisements of Post Office Department for proposals; and, whereas, such routes will serve several thousands of people at either terminus with mail facilities, who during the Winter months are almost wholly deprived of them; and, whereas, such route is the only route to Indian Valley that is not closed or greatly impeded by deep snows from December to July; therefore, be it

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress be instructed and our Representative be requested, to use all proper means, by Act of Congress or earnest efforts with the Post Office Department, to procure a tri-weekly mail during the Winter months, from Reno, over the before-mentioned route, to Greenville, in Plumas County, California, at the earliest date practicable on which such contracts can be let.

Resolved, That the Governor be requested to forward a copy of these resolutions to each of our Senators and to our Representative in Congress.

Governor
to transmit
copies.

No. XXVII.—*Senate Concurrent Resolution memorializing the Congress of the United States to grant to the Governors of the several States and Territories of the United States, the right to "frank" certain books and pamphlets sent through the United States mail.*

[Passed March 6, 1873.]

WHEREAS, A liberal system of exchanges of the statute laws and decisions of the Supreme Courts of the several States of the Union and Territories has been inaugurated, and is of untold advantage in building up and maintaining State libraries; and, whereas, such matter cannot be sent through the United States mail unless the postage is prepaid; and, whereas, many of the States and Territories fail to send such matter through the mail for this reason, but instead transmit

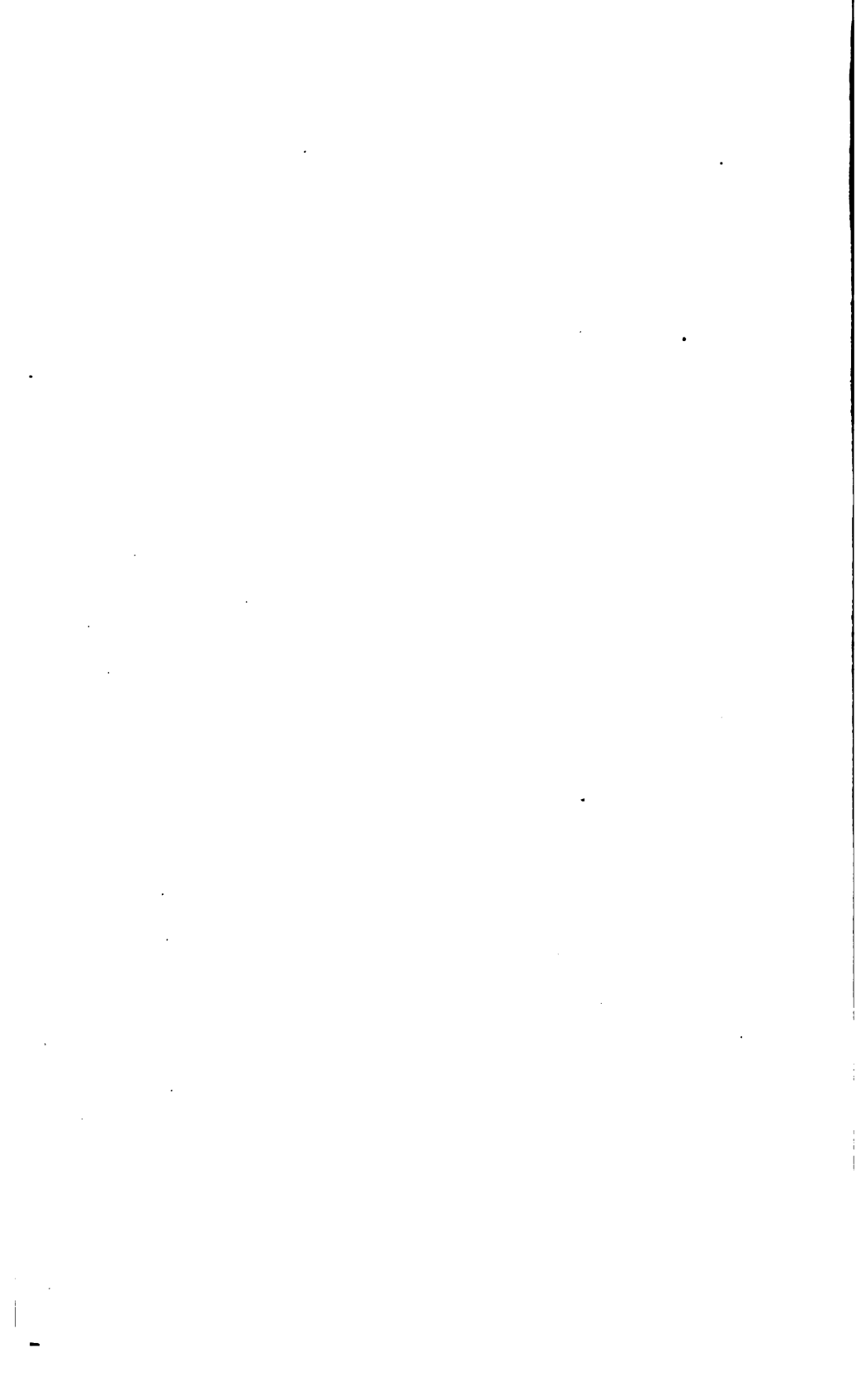
Franking
privilege,
memorial
to Congress
to grant to
Governors
of States
and
Territories.

the same by express, making the cost more than to buy the same; therefore

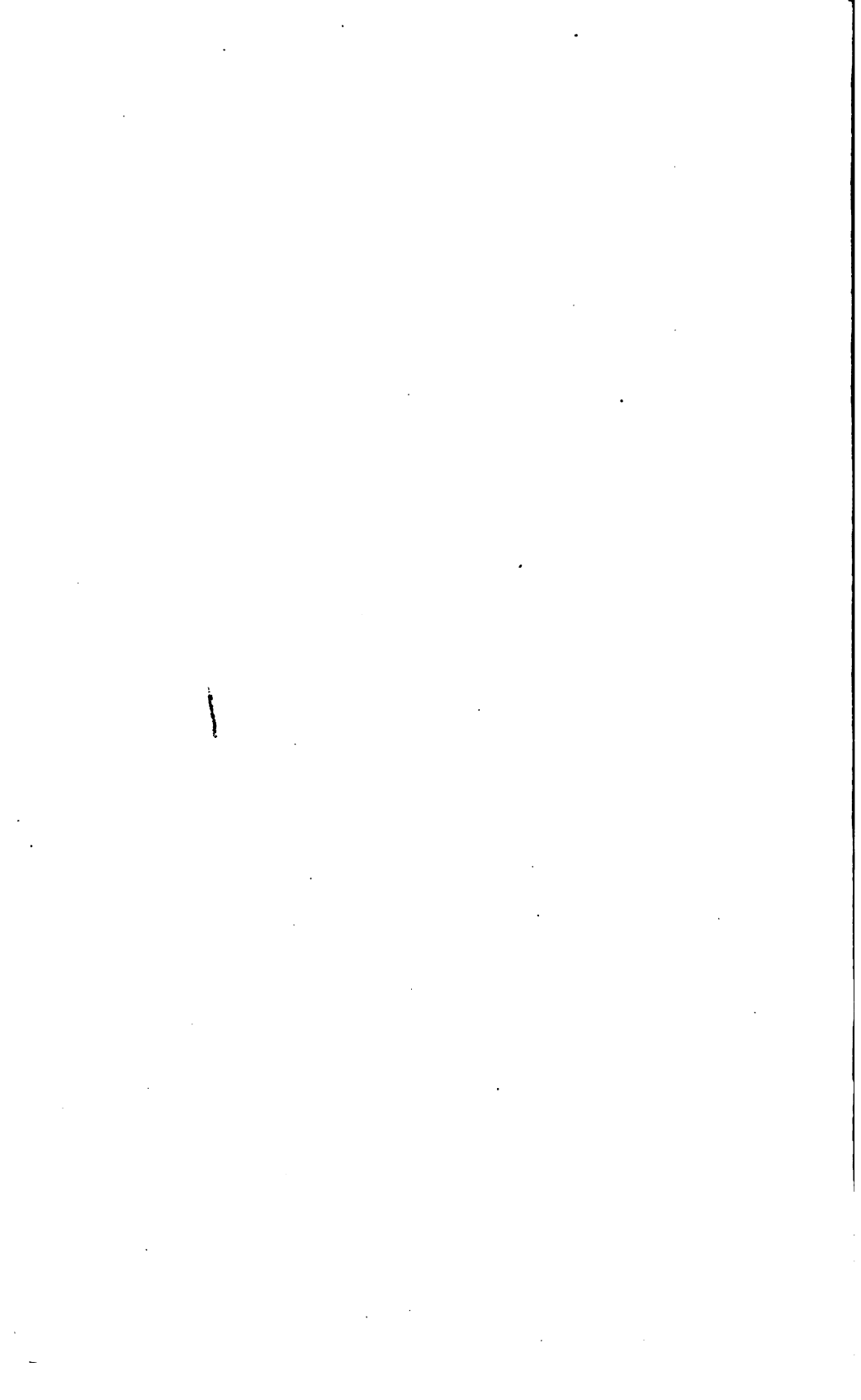
Resolution. *Resolved,* That our Senators in Congress be instructed and our Representative be requested, to use all their influence to procure the enactment of a law, authorizing and empowering the Governors of the several States and Territories to "frank" all statutes, decisions of the Supreme Courts, and other public printed documents intended for exchange, so that the same may have transit through the United States mail free of charge.

REPORT
OF THE
STATE TREASURER
OF THE
STATE OF NEVADA,
FOR THE
SEVENTH AND EIGHTH FISCAL YEARS, 1871 AND 1872.

JERRY SCHOOLING, TREASURER.



ANNUAL REPORT OF THE STATE TREASURER
TO THE
GOVERNOR OF THE STATE OF NEVADA,
FOR
THE YEAR 1871.



CONTENTS.

EXHIBIT A.

Showing total receipts and disbursements for the fiscal year ending December 31st, 1871; also, balances on hand at the beginning and end of the year.

EXHIBIT B.

Showing the receipts in brief and amounts disbursed by different Funds during the year ending December 31st, 1871.

EXHIBIT C.

Showing the receipts in detail during the year.

EXHIBIT D.

Showing the disbursements in detail during the year.

EXHIBIT E.

Showing the sales and purchases of currency during the year.

EXHIBIT F.

Showing the apportionment to the different Funds.

EXHIBIT G.

Showing the transactions of the different Funds during the year.

EXHIBIT H.

Showing the balances on hand at the beginning and ending of the year, special deposits made by applicants for the purchase of State land, and purchases completed during the year ending December 31st, 1871.

EXHIBIT I.

Showing balance of stamps on hand at the beginning and ending of the year; also, stamps in the hands of the County Treasurers, and stamps sold during the year.

EXHIBIT J.

Showing an estimate of assets and liabilities of the State, with net liabilities December 31st, 1871.

REPORT OF STATE TREASURER.

TREASURY DEPARTMENT OF THE STATE OF NEVADA, }
CARSON, December 31st, 1871. }

To His Excellency,
L. R. BRADLEY,
Governor of the State of Nevada:

SIR: In conformity with the Constitution and the laws of the State, I herewith submit a statement of the condition of the Treasury, with the receipts and disbursements of the several Funds during the seventh fiscal year ending December thirty-first, eighteen hundred and seventy-one, and such other information as may be necessary for a full understanding of the affairs of this Department.

Respectfully submitted.

JERRY SCHOOLING,
State Treasurer.

EXHIBIT "A."

COIN STATEMENT.

Dr.

Balance on hand January 1st, 1871.....	\$116,106 27
Receipts for the year.....	518,193 48
Received from sale of currency.....	17,701 38
	<u>\$652,001 13</u>
Balance on hand December 31st, 1871.....	<u>\$191,463 82</u>

CURRENCY STATEMENT.

Balance on hand January 1st, 1871.....	\$8,743 06
Receipts for the year.....	31,721 26
Currency purchased.....	500 00
	<u>\$40,964 32</u>
Balance on hand December 31st, 1871.....	<u>\$11,786 28</u>

EXHIBIT "A."

COIN STATEMENT.

Cr.

Disbursements for the year.....	\$460,087 31
Add amount paid for currency	450 00
Balance on hand December 31st, 1871.....	191,463 82
	<hr/>
	\$652,001 13

CURRENCY STATEMENT.

Disbursements for the year.....	\$9,520 00
Add currency sold.....	19,658 04
Balance on hand December 31st, 1871.....	11,786 28
	<hr/>
	\$40,964 32

EXHIBIT "B."

GENERAL REVENUE, COIN.

Dr.

To warrants paid from General Fund.....	\$102,259 87
To expressage paid on State moneys from General Fund...	481 68
To warrants paid from State Prison Fund.....	58,532 91
To warrants paid from State Orphan Home Fund.....	12,464 38
To warrants paid from Supreme Court Report Fund.....	3,700 00
To warrants paid from Virginia Orphan Asylum Fund....	2,500 00
To warrants paid from State Library Fund.....	1,712 75
To warrants paid from General School Fund.....	17,823 70
To warrants paid from State Interest and Sinking Fund, 1867.....	75,000 00
To warrants paid from State School Fund.....	8,385 10
To warrants paid from State Capitol Fund.....	64,223 24
To warrants paid from the Judicial Salary Fund.....	21,000 00
To warrants paid from Soldiers' Fund.....	169 49
To warrants paid from State Interest and Sinking Fund, 1871.....	7,975 00
To warrants paid from State Legislative Fund.....	62,325 90
To warrants paid from Senate Contingent Fund.....	4,766 88
To warrants paid from Assembly Contingent Fund.....	6,137 42
To warrants paid from Indigent Insane Fund.....	10,628 99
To amount paid for currency.....	450 00
To balance on hand December 31st, 1871.....	191,463 82
	<hr/>
	\$652,001 13

GENERAL REVENUE, CURRENCY.

To warrants paid from the General Fund.....	\$3 00
To warrants paid from the State School Fund.....	400 00
To defalcation of E. Rhoades, on special deposit.....	9,065 00
To sales of currency during the year.....	19,658 04
To discount on mutilated currency.....	52 00
To balance on hand December 31st, 1871.....	11,786 28

EXHIBIT "B."

GENERAL REVENUE, COIN.

Cr.

By balance on hand January 1st, 1871.....	\$116,106 27
By interest on bonds belonging to the State School Fund..	8,700 00
By sale of State bonds issued April 1st, 1871.....	160,000 00
By receipts from County Treasurers on June and December settlements	320,449 49
By net receipts from sale of State stamps.....	24,269 02
By fees of office from Secretary of State.....	2,540 30
By fees of office from Clerk of Supreme Court.....	420 00
By receipts from State Prison.....	702 65
By one per cent on special deposits.....	54 07
By receipts from toll roads.....	372 95
By receipts from sales of attorneys' licenses.....	675 00
By receipts from delinquent stamp tax.....	10 00
By receipts from sales of currency.....	17,701 38
	<hr/>
	\$652,001 13
By balance on hand December 31st, 1871.....	\$191,463 82

GENERAL REVENUE, CURRENCY.

By balance on hand January 1st, 1871.....	\$8,743 06
By receipts from County Treasurers.....	160 35
By collections from General Government.....	3,313 55
By receipts from State Prison.....	176 25
By one per cent on land sales and special deposits.....	609 80
By sales of State lands.....	27,461 31
By currency purchased.....	500 00
By balance on hand December 31st, 1871.....	\$11,786 28

EXHIBIT "D."

DISBURSEMENTS.		Coin.	Currency.
<i>Paid from the General Fund.</i>			
Governor's salary.....	\$7,500 00		
Salary of Governor's Private Secretary.....	2,948 38		
Incidental expenses of Governor's office.....	129 06	\$10,577 44	
Salary of Secretary of State.....	\$4,500 00		
Salary of Deputy Secretary of State.....	3,750 00		
Salary of Librarian.....	2,061 29		
Incidental expenses of office of Secretary of State.....	651 61		
Incidental expenses of Library.....	499 20	11,462 10	
Salary of State Controller.....	\$4,500 00		
Salary of Deputy Controller.....	3,750 00		
Extra clerical service of Controller's office.....	961 50		
Incidental expenses of Controller's office.....	653 63	9,865 13	
Salary of Treasurer of State.....	\$4,500 00		

Salary of Treasurer's Clerk.....	2,948 38			
Incidental expenses of Treasurer's office	521 96	7,970 34		
Salary of Surveyor General.....	\$4,500 00			
Incidental expenses of Surveyor General's office.....	323 53	4,823 53		
Salary of State Mineralogist.....	\$4,500 00			
Traveling expenses of State Mineralogist.....	673 08	5,173 08		
Salary of Attorney General.....	\$3,125 00			
Incidental expenses of office of Attorney General.....	164 85	3,289 85		
Salary of Superintendent of Public Instruction.....	\$2,500 00			
Incidental expenses of office of Superintendent of Public Instruction.....	591 05	3,091 05		
Care of indigent insane.....		10,451 15		
Care of deaf and dumb.....		1,658 25		
Incidental expenses of Supreme Court.....		1,023 37		
State printing.....		12,195 97		
Rent of State office.....		5,528 13		
Porterage for State offices.....		2,128 08		
Clerical services of Board of Examiners.....		195 00		
Fees and legal services in State cases.....		3,732 30		
Fitting up legislative halls.....		4,669 16		
Expressage on State moneys.....		481 68		
Miscellaneous expenses.....		4,425 94	\$3 00	
Amount carried forward.....		\$102,741 55		\$3 00

EXHIBIT "D"—Continued.

DISBURSEMENTS.		Coin.	Currency.
Amount brought forward.....	.....	\$102,741 55	\$3 00
<i>State Prison Fund.</i>			
Salary of Warden of Prison.....	\$3,250 00		
Salary of Deputy Warden of Prison.....	2,400 00		
Guard service of Prison.....	11,843 75		
General expenses of Prison.....	41,039 16	58,532 91	.....
<i>State Orphan Home Fund.</i>			
Salary of employes at Home.....	\$1,548 53		
Orphan Home building account.....	7,687 90		
General expenses of Home.....	3,227 95		
<i>Paid from Supreme Court Report Fund.</i>			
Expense of reporting decisions of Supreme Court.....	3,700 00

Virginia Orphan Asylum Fund.

Care of orphans of Virginia Asylum	2,500 00
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33

State Library Fund.

Purchase of books for State Library.....	\$1,114 10	
Expenses of Library office.....	598 65	
	1,712 75	.....

General School Fund.

Apportionment of school moneys to different counties.....	17,823 70
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State Interest and Sinking Fund, 1867.

Discount on mutilated and counterfeit notes.....	52 00	
Interest on State bonds of 1867 for the year.....	75,000 00	.....

State School Fund.

Expenses Land Register's office.....	\$1,035 10	
Salary Deputy State Register.....	2,100 00	
Britton & Gray, attorneys, at Washington.	5,250 00	
	8,385 10	.....
Refunded to John W. Averill.....	\$400 00	
Defalcation of E. Rhoades, on special deposits.....	8,665 00	
	9,065 00	
Carried forward.....	\$282,860 39	\$9,120 00

EXHIBIT "D"—Continued.

DISBURSEMENTS.	Coin.	Currency.
Brought forward.....	\$282,860 39	\$9,120 00
<i>State Capitol Fund.</i>		
Expenses in building Capitol.....		
Defalcation of E. Rhoades, on special deposit account.....	\$64,223 24	.....
•		\$400 00
<i>Judicial Salary Fund.</i>		
Salary of Supreme Judges.....	21,000 00	.....
<i>Soldiers' Fund.</i>		
Extra pay to Nevada Volunteers.....	169 49	.....
<i>State Interest and Sinking Fund, 1871.</i>		
Interest on State bonds of 1871.....	7,975 00	.....
<i>State, Legislative, and Senate and Assembly Contingent Funds, 1871.</i>		
Senate contingent expenses.....		\$4,766 88
Assembly contingent expenses.....		6,137 42
Salary of members.....		33,840 00

Mileage of members.....	9,394 40		
General expenses of Legislature.....	19,091 50		
		73,230 20	.....
<i>Indigent Insane Fund.</i>			
Care of indigent insane.....		10,628 99	.....
Total disbursements.....		\$460,087 31	\$9,520 00

EXHIBIT "E."

SALES AND PURCHASES OF CURRENCY.	Coin.	Currency.
<i>Sold from State Capitol Fund.</i>		
Amount of currency sold.....	.....	\$5,955 36
Amount of coin realized.....	\$5,356 32	.....
<i>State Interest and Sinking Fund, 1867.</i>		
Amount of currency sold.....	.....	2,763 08
Amount of coin realized.....	2,490 22	.....
<i>State Library Fund.</i>		
Amount of currency sold.....	.....	1,319 53
Amount of coin realized.....	1,191 89	.....
<i>General School Fund.</i>		
Amount of currency sold.....	.....	128 87
Amount of coin realized.....	115 98	.....
<i>State School Fund.</i>		
Amount of currency sold.....	.....	9,491 20
Amount of coin realized.....	8,546 97	.....
Totals.....	\$17,701 38	\$19,658 04
<i>Purchases—For State School Fund.</i>		
Amount of coin paid.....	\$450 00	.....
Amount of currency realized.....	.....	\$500 00
Totals.....	\$450 00	\$500 00

EXHIBIT "F."

RECAPITULATION.	Coin.	Currency.
Balance on hand January 1st, 1871.....	\$116,106 27	\$8,743 06
Add receipts for the year.....	518,193 48	31,721 26
	\$634,299 75	\$40,464 32
Deduct currency sold.....	.....	19,658 04
	\$634,299 75	\$20,806 28
Add coin realized.....	17,701 38	.....
	\$652,001 13	\$20,806 28
Deduct coin paid for currency.....	450 00	.....
	\$651,551 13	\$20,806 28
Add currency realized.....	.....	500 00
	\$651,551 13	\$21,306 28
Deduct total disbursements for the year.....	460,087 31	9,520 00
Balances on hand December 31st, 1871....	\$191,463 82	\$11,786 28
<i>Apportioned as follows:</i>		
General Fund.....	\$20,366 79	\$29 01
State School Fund.....	5,511 66	9,668 53
General School Fund.....	14,670 32	.....
State Interest and Sinking Fund, 1867.....	130,404 52	1,030 57
State Capitol Fund... ..	4,407 96	231 49
Soldiers' Fund.....	1,124 61	.....
State Library Fund.....	3,504 02	40 63
State Prison Fund.....	621 15	176 25
State Legislative Fund, 1871.....	5 00	.....
State Interest and Sinking Fund, 1871.....	10,847 79	.....
Special Land Fund.....	.....	609 80
Totals.....	\$191,463 82	\$11,786 28

EXHIBIT "G."

GENERAL FUND, COIN.

Cr.

By amount overdrawn January 1st, 1871.....	\$15,587 11
By Controller's warrants paid and returned... ..	102,259 87
By expressage on State moneys.....	481 68
By transfer to State Prison Fund.....	58,451 41
By transfer to State Orphan Home Fund.	12,464 38
By transfer to Supreme Court Report Fund.....	3,700 00
By transfer to Virginia Orphan Asylum Fund.....	2,500 00
By transfer to Judicial Salary Fund.....	20,660 00
By transfer to State Legislative Fund.....	73,580 00
By transfer to Indigent Insane Fund.....	10,628 99
By balance on hand December 31st, 1871.....	20,366 79
	<hr/>
	\$320,680 23

GENERAL FUND, CURRENCY.

By Controller's warrants paid and returned	\$3 00
By balance December 31st, 1871.....	29 01
	<hr/>
	\$32 01

EXHIBIT "G"—Continued.

STATE SCHOOL FUND, COIN.

Dr.

To balance on hand January 1st, 1871.....	\$2,382 68
To receipts during the year.....	3,417 11
To coin realized from sale of currency.....	8,546 97
	<u>\$14,346 76</u>
To balance on hand December 31st, 1871.....	\$5,511 66

STATE SCHOOL FUND, CURRENCY.

To balance on hand January 1st, 1871.....	\$3,504 70
To receipts during the year.....	24,220 03
To amount currency purchased.....	500 00
	<u>\$28,224 73</u>
To balance on hand December 31st, 1871.....	\$9,668 53

EXHIBIT "G"—Continued.

STATE SCHOOL FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$8,385 10
By amount paid for currency.....	450 00
By balance on hand December 31st, 1871.....	5,511 66
	<u>\$14,346 76</u>

STATE SCHOOL FUND, CURRENCY.

By Controller's warrants paid and returned.....	\$400 00
By defalcation of E. Rhoades, on special deposit account...	8,665 00
By amount transferred to coin from sales of currency.....	9,491 20
By balance on hand December 31st, 1871.....	9,668 53
	<u>\$28,224 73</u>

EXHIBIT "G"—Continued.

GENERAL SCHOOL FUND, COIN.

Dr.

To balance on hand January 1st, 1871.....	\$10,612 85
To receipts for the year.....	21,765 19
To amount realized from sale of currency.....	115 98
	<hr/>
	\$32,494 02
	<hr/>
To balance on hand December 31st, 1871.....	\$14,670 32

GENERAL SCHOOL FUND, CURRENCY.

To balance on hand January 1st, 1871.....	\$122 20
To receipts for the year.....	6 67
	<hr/>
	\$128 87

EXHIBIT "G"—Continued.

GENERAL SCHOOL FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$17,823 70
By balance on hand December 31st, 1871	14,670 32
	<hr/>
	\$32,494 02
	<hr/>

GENERAL SCHOOL FUND, CURRENCY.

By amount transferred to coin from sales of currency.....	\$128 87
	<hr/>
	\$128 87

EXHIBIT "G"—Continued.

STATE INTEREST AND SINKING FUND, 1867, COIN.

Dr.

To balance on hand January 1st, 1871.....	\$82,364 98
To receipts for the year.....	120,549 32
To coin realized from sale of currency.....	2,490 22
	<u>\$205,404 52</u>
To balance on hand December 31st, 1871.....	\$130,404 52

STATE INTEREST AND SINKING FUND, 1867, CURRENCY.

To balance on hand January 1st, 1871.....	\$3,756 00
To receipts for the year.....	89 65
	<u>\$3,845 65</u>
To balance on hand December 31st, 1871.....	\$1,030 57

EXHIBIT "G"—Continued.

STATE INTEREST AND SINKING FUND, 1867, COIN.

Cr.

By Controller's warrants paid and returned.....	\$75,000 00
By balance on hand December 31st, 1871.....	130,404 52
	<u>\$205,404 52</u>

STATE INTEREST AND SINKING FUND, 1867, CURRENCY.

By amount transferred to coin from sale of currency.....	\$2,763 08
By discount on mutilated currency.....	52 00
By balance on hand December 31st, 1871.....	1,030 57
	<u>\$3,845 65</u>

EXHIBIT "G"—Continued.

STATE LIBRARY FUND, COIN.

Dr.

To balance on hand January 1st, 1871.....	\$729 58
To receipts for the year.....	3,295 30
To coin realized from sale of currency.....	1,191 89
	<hr/>
	\$5,216 77
	<hr/>
To balance on hand December 31st, 1871.....	\$3,504 02

STATE LIBRARY FUND, CURRENCY.

To balance on hand January 1st, 1871.....	\$1,360 16
	<hr/>
	\$1,360 16
	<hr/>
To balance on hand December 31st, 1871.....	\$40 63

EXHIBIT "G"—Continued.

STATE LIBRARY FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$1,712 75
By balance on hand December 31st, 1871.....	3,504 02
	<hr/>
	\$5,216 77
	<hr/>

STATE LIBRARY FUND, CURRENCY.

By amount transferred to coin from sale of currency.....	\$1,319 53
By balance on hand December 31st, 1871.....	40 63
	<hr/>
	\$1,360 16
	<hr/>

EXHIBIT "G"—Continued.

Dr. STATE CAPITOL FUND, COIN.

To balance on hand January 1st, 1871.....	\$34,309 19
To receipts for the year.....	28,965 69
To coin realized from sale of currency.....	5,356 32
	<u>\$68,631 20</u>
To balance on hand December 31st, 1871.....	\$4,407 96

STATE CAPITOL FUND, CURRENCY.

To receipts for the year.....	\$6,586 85
	<u>\$6,586 85</u>
To balance on hand December 31st, 1871.....	\$231 49

EXHIBIT "G"—Continued.

STATE CAPITOL FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$64,223 24
By balance on hand December 31st, 1871.....	4,407 96
	<u>\$68,631 20</u>

STATE CAPITOL FUND, CURRENCY.

By defalcation of E. Rhoades, on special deposit account...	\$400 00
By amount transferred to coin from sale of currency.....	5,955 36
By balance on hand December 31st, 1871.....	231 49
	<u>\$6,586 85</u>

EXHIBIT "G"—Continued.

STATE PRISON FUND, COIN.

Dr.

To amount transferred from General Fund.....	\$58,451 41
To receipts for the year.....	702 65
	<u>\$59,154 06</u>
To balance on hand December 31st, 1871.....	\$621 15

STATE PRISON FUND, CURRENCY.

To receipts for the year.....	\$176 25
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EXHIBIT "G"—Continued. •

STATE PRISON FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$58,532 91
By balance on hand December 31st, 1871.....	621 15
	<u>\$59,154 06</u>

STATE PRISON FUND, CURRENCY.

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● EXHIBIT "G"—Continued.

SOLDIERS' FUND, COIN.

Dr.

To balance on hand January 1st, 1871.....	\$1,294 10
	<hr/>
	\$1,294 10
	<hr/>
To balance on hand December 31st, 1871.....	\$1,124 61
	<hr/>

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SPECIAL LAND FUND, CURRENCY.

To receipts for the year.....	\$609 80
	<hr/>

EXHIBIT "G"—Continued.

SOLDIERS' FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$169 49
By balance on hand December 31st, 1871.....	1,124 61
	<hr/>
	\$1,294 10

SPECIAL LAND FUND, CURRENCY.

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EXHIBIT "G"—Continued.

STATE INTEREST AND SINKING FUND, 1871, COIN.
Dr.

To receipts for the year.....	\$18,822 79
	<hr/>
	\$18,822 79
	<hr/>
To balance on hand December 31st, 1871.....	\$10,847 79

STATE ORPHAN HOME FUND, COIN.

To amount transferred from General Fund.....	\$12,464 38
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SUPREME COURT REPORT FUND, COIN.

To amount transferred from General Fund.....	\$3,700 00
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EXHIBIT "G"—Continued.

STATE INTEREST AND SINKING FUND, 1871, COIN.

Cr.

By Controller's warrants paid and returned.....	\$7,975 00
By balance on hand December 31st, 1871.....	10,847 79
	<hr/> \$18,822 79

STATE ORPHAN HOME FUND, COIN.

By Controller's warrants paid and returned.....	\$12,464 38
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SUPREME COURT REPORT FUND, COIN.

By Controller's warrants paid and returned.....	\$3,700 00
---	------------

EXHIBIT "G"—Continued.

JUDICIAL SALARY FUND, COIN.

Dr.

To transfer from General Fund.....	\$20,660 00
To receipts for the year.....	340 00
	<hr/> \$21,000 00

VIRGINIA ORPHAN ASYLUM FUND, COIN.

To amount transferred from General Fund.....	\$2,500 00
--	------------

INDIGENT INSANE FUND, COIN.

To amount transferred from General Fund.....	\$10,628 99
--	-------------

EXHIBIT "G"—Continued.

JUDICIAL SALARY FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$21,000 00
	<hr/> \$21,000 00

VIRGINIA ORPHAN ASYLUM FUND, COIN.

By Controller's warrants paid and returned	\$2,500 00
--	------------

INDIGENT INSANE FUND, COIN.

By Controller's warrants paid and returned.....	\$10,628 99
---	-------------

EXHIBIT "G"—Continued.

STATE LEGISLATIVE FUND, 1871, COIN.

Dr.

To amount transferred from General Fund.....	\$73,580 00
	<hr/>
	\$73,580 00
	<hr/>
To balance on hand December 31st, 1871.....	\$5 00

SENATE CONTINGENT FUND, COIN.

To transfer from Legislative Fund.....	\$5,000 00
	<hr/>
	\$5,000 00

EXHIBIT "G"—Continued.

STATE LEGISLATIVE FUND, 1871, COIN.

Cr.

By Controller's warrants paid and returned.....	\$62,325 90
By amount transferred to Senate Contingent Fund.....	5,000 00
By amount transferred to Assembly Contingent Fund.....	6,200 00
By amount transferred to General Fund.....	49 10
By balance on hand December 31st, 1871.....	5 00
	<u>\$73,580 00</u>

SENATE CONTINGENT FUND, COIN.

By Controller's warrants paid and returned.....	\$4,766 88
By amount transferred to General Fund.....	233 12
	<u>\$5,000 00</u>

EXHIBIT "G"—Continued.

ASSEMBLY CONTINGENT FUND, COIN.

Dr.

To transfer from Legislative Fund.....	\$6,200 00
	<u>\$6,200 00</u>

EXHIBIT "H."

SPECIAL DEPOSIT, CURRENCY.

Dr.

To balance on hand January 1st, 1871.....	\$25,848 59
To amount deposited during the year.....	59,472 71
	<u>\$85,321 30</u>
To balance on hand December 31st, 1871.....	\$66,053 06

EXHIBIT "G"—Continued.

ASSEMBLY CONTINGENT FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$6,137 42
By amount transferred to General Fund.....	62 58
	<hr/> \$6,200 00

EXHIBIT "H."

SPECIAL DEPOSIT, CURRENCY.

Cr.

By amount of purchases completed.....	\$18,058 76
By amount refunded to applicants.....	1,209 48
By balance on hand December 31st, 1871.....	66,053 06
	<hr/> \$85,321 30

EXHIBIT "I."

STATE STAMP ACCOUNT, COIN.

Cr.

By net proceeds from sale of stamps for the year.....	\$24,269 02
By commissions and percentage allowed to County Treasurers	3,276 61
By commissions allowed to purchasers from State Treasurer.....	202 40
By expressage on moneys from County Treasurers.....	109 83
By stamps destroyed by fire at Virginia City, Storey County	3,839 00
By stamps destroyed by fire at Pioche City, Lincoln County	1,234 60
By canceled, received in exchange from C. P. R. R. Co.....	470 00
By stamps on hand December 31st, 1871.....	184,717 41
By stamps with County Treasurers December 31st, 1871...	14,156 29
	<hr/>
	\$232,275 16

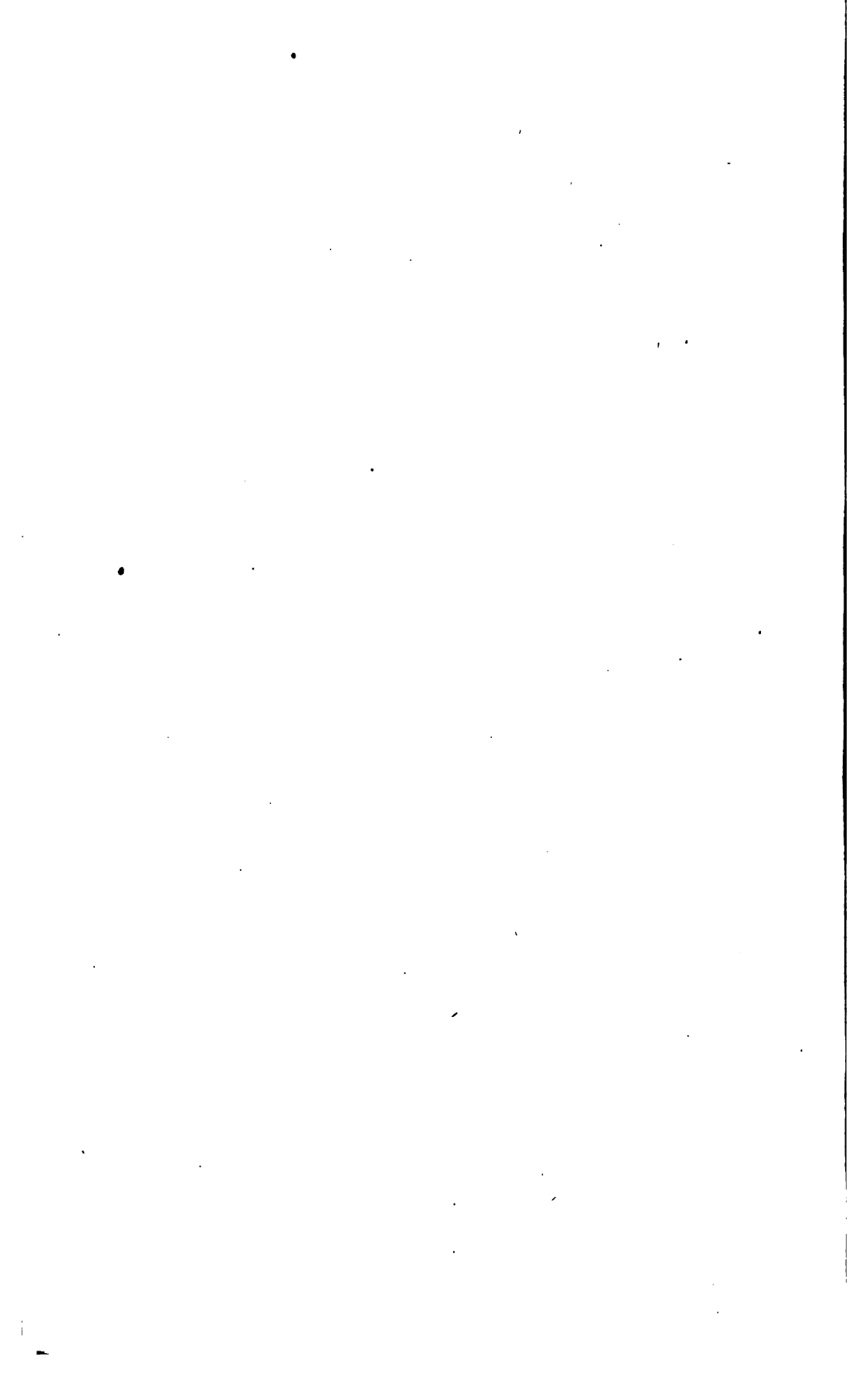
[J]

STATEMENT

Showing liabilities and assets, with net indebtedness, of the State, December 31st, 1871.

	Coin.	Currency.	Grand Totals.
<i>Liabilities.</i>			
State bonds issued March 1st, 1867, redeemable in five years.....	\$500,000 00	.....
State bonds issued April 1st, 1871, redeemable in ten years.....	160,000 00	.....
State warrants unpaid and outstanding December 31st, 1871.....	213,014 94	\$13 31	\$873,028 25
<i>Assets.</i>			
Cash on hand December 31st, 1871.....	\$191,463 82	\$11,786 28	
Fifty-eight State bonds of \$1,000 each, issued March 1st, 1867, belonging to the State School Fund, coin.....	58,000 00	.....	\$261,250 10
Net indebtedness December 31st, 1871.....	.....	.....	\$611,778 15

ANNUAL REPORT OF THE STATE TREASURER
TO THE
GOVERNOR OF THE STATE OF NEVADA,
FOR
THE YEAR 1872.



CONTENTS.

EXHIBIT A.

Showing balance on hand December thirty-first, eighteen hundred and seventy-one, and apportionment of the same.

EXHIBIT B.

Showing the amount of outstanding warrants December thirty-first, eighteen hundred and seventy-one, and the Funds upon which the same were drawn.

EXHIBIT C.

Showing the bonded debt of the State December thirty-first, eighteen hundred and seventy-one.

EXHIBIT D.

Showing liabilities, assets, and net indebtedness December thirty-first, eighteen hundred and seventy-one.

EXHIBIT E.

Showing balance on hand January first, eighteen hundred and seventy-two; receipts and disbursements for the year; balance December thirty-first, eighteen hundred and seventy-two, and apportionment of the same.

EXHIBIT F.

Showing full transaction in the general revenue account for the year, and balances January first and December thirty-first.

EXHIBIT G.

Showing warrants outstanding January first, eighteen hundred and seventy-two; warrants drawn, registered, paid, and returned during the year, and balance outstanding December thirty-first.

EXHIBIT H.

Showing receipts for the year.

EXHIBIT I.

Showing disbursements for the year.

EXHIBIT J.

Showing sales of currency for the year, coin realized, and discount on same.

EXHIBIT K.

Showing list of State bonds purchased and held as securities for the State School Fund.

EXHIBIT L.

Showing list of State bonds outstanding December thirty-first, eighteen hundred and seventy-two.

EXHIBIT M.

Showing the transactions in the different Funds during the year, and balances at the beginning and the close of the year.

EXHIBIT N.

Showing liabilities, assets, and net indebtedness December thirty-first, eighteen hundred and seventy-two.

EXHIBIT O.

Showing the transactions in the special deposit account for the year.

EXHIBIT P.

Showing the transactions in the State stamp account for the year.

EXHIBIT Q.

Showing the manner in which the appropriations for this office have been expended.

REPORT OF STATE TREASURER.

TREASURY DEPARTMENT OF THE STATE OF NEVADA, }
CARSON, December 31st, 1872. }

To His Excellency,

L. R. BRADLEY,

Governor of the State of Nevada:

SIR: In obedience with the requirements of law, I have the honor to herewith submit my annual report of the receipts and disbursements, with such other information as may be necessary for a full and complete understanding of the transactions of this department, for the fiscal year ending December thirty-first, eighteen hundred and seventy-two.

Respectfully submitted,

JERRY SCHOOLING,
State Treasurer.

[A] STATEMENT

Showing balance December 31st, 1871, and its apportionment.

	Coin.	Currency.
Balance on hand December 31st, as shown by my report for 1871.....	\$191,463 82	\$11,786 28
<i>Apportioned as follows:</i>		
To the General Fund.....	\$20,366 79	\$29 01
To the State School Fund.....	5,511 66	.....
To the General School Fund.....	14,670 32	.....
To the State Interest and Sinking Fund, 1867.....	130,404 52	1,030 57
To the State Interest and Sinking Fund, 1871.....	10,847 79	.....
To the State Legislative Fund, 1871.....	5 00	.....
To the State Capitol Fund.....	4,407 96	231 49
To the Soldiers' Fund.....	1,124 61	.....
To the State Library Fund.....	3,504 02	.....
To the State Prison Fund.....	621 15	176 25
To the Special Land Fund.....	.....	609 80
Totals.....	\$191,463 82	\$11,786 28

[B]

STATEMENT

Showing the outstanding registered warrants December 31st, 1871, also the years in which such warrants were drawn and registered.

UPON WHAT FUND DRAWN.		Year of registration.	Coin.	Currency.
Upon General Fund.....		1866	\$111 75	\$11 31
Upon General Fund.....		1870	13 00	.....
Upon General Fund (deficiency 1870).....		1871	1,883 63	.....
Upon General Fund.....		1871	90,379 04	.....
Upon Soldiers' Fund.....		1865-6-7	1,066 93	2 00
Upon State Prison Fund.....		1869	17 25	.....
Upon State Prison Fund.....		1870	213 25	.....
Upon State Prison Fund (deficiency 1870).....		1871	5,123 85	.....
Upon State Prison Fund.....		1871	38,333 48	.....
Upon State Capitol Fund.....		1871	61,375 00	.....
Upon State Orphan Home Fund.....		1871	11,442 76	.....
Upon Nevada Orphan Asylum Fund.....		1871	3,050 00	.....
Upon State Legislative Fund, 1871.....		1871	5 00	.....
Totals.....		.....	\$213,014 94	\$13 31

REPORT OF THE

STATEMENT

[C]

Showing total amount of State bonds standing against the State; also, date of issuance and date redeemable, rate of interest, and date of payment.

NEVADA STATE BONDS.	Rate of interest.	Date of payment of interest.	Amount of bonds. Coin.
State bonds issued March 1st, 1867, redeemable March 1st, 1872, (outstanding)	15 per cent per annum..	March 1st and September 1st..	\$442,000 00
State bonds issued March 1st, 1867, redeemable March 1st, 1872, (held as securities for State School Fund).....	15 per cent per annum..	March 1st and September 1st..	58,000 00
State bonds issued April 1st, 1871, redeemable April 1st, 1881, (outstanding)	10 per cent per annum..	April 1st and October 1st	160,000 00
Total .....	.....	.....	\$660,000 00

[D]

STATEMENT

Showing liabilities and assets; also, net indebtedness December 31st, 1871.

RECAPITULATION.		Coin.	Currency.	Grand total.
<i>Liabilities.</i>				
State bonds issued March 1st, 1867, redeemable March 1st, 1872.....		\$500,000 00	.....	.....
State bonds issued April 1st, 1871, redeemable April 1st, 1881		160,000 00	.....	.....
State warrants outstanding December 31st, 1871		213,014 94	\$13 31	.....
				\$873,028 25
<i>Assets.</i>				
Cash on hand December 31st, 1871.....		191,463 82	11,786 28	.....
State bonds belonging to the State School Fund		58,000 00	.....	261,250 10
Net indebtedness December 31st, 1871.....				\$611,778 15

STATEMENT

[E]

Showing balance January 1st, 1872, receipts and disbursements for the year, balance December 31st, 1872, and apportionment to the different Funds.

	Coin.	Currency.
Balance January 1st, 1872, as appears from my report December 31st, 1871	\$191,463 82	\$11,786 28
Total receipts for 1872	1,004,494 39	98,767 13
Deduct currency sold during the year	\$1,195,958 21	\$110,553 41
	.....	99,484 14
Receipts from sale of currency	\$1,195,958 21	\$11,069 27
	88,526 78	.....
Deduct disbursements for 1872	\$1,284,484 99	\$11,069 27
	1,047,929 50	7,444 00
Balance December 31st, 1872	\$236,555 49	\$3,625 27
<i>Apportioned as follows:</i>		
General Fund	\$138,102 29	\$800 00
State School Fund	287 40	1,168 57

General School Fund.....	16,521 18	.....
State Interest and Sinking Fund, 1871-2.....	39,392 57	.....
Territorial Interest and Sinking Fund, 1872.....	28,137 26	.....
State Library Fund.....	3,256 37	.....
State Capitol Fund.....	4,811 45	.....
Judicial Salary Fund.....	5,078 69	.....
Soldiers' Fund.....	963 28	.....
Legislative Fund, 1871.....	5 00	.....
Special Land Fund.....		1,656 70
Totals.....	\$236,555 49	\$3,625 27

[F]

STATEMENT

Showing the disbursements from the different Funds, total receipts, and balance on hand at the beginning and close of the year.

GENERAL REVENUE—COIN.

Dr.

To warrants paid from General Fund.....	\$153,228 73
To warrants paid from State School Fund	108,117 28
To warrants paid from General School Fund.....	22,613 74
To warrants paid from State Interest and Sinking Fund 1867	537,425 00
To warrants paid from State Interest and Sinking Fund 1871-2	19,796 00
To warrants paid from Territorial Interest and Sinking Fund, 1872	18,238 10
To warrants paid from State Library Fund.....	2,672 00
To warrants paid from State Prison Fund.....	88,533 19
To warrants paid from State Orphan Home Fund.....	19,691 02
To warrants paid from Nevada Orphan Asylum Fund ...	5,250 00
To warrants paid from Indigent Insane Fund.....	19,149 93
To warrants paid from State Capitol Fund.....	37,303 18
To warrants paid from Judicial Salary Fund.....	15,750 00
To warrants paid from Soldiers' Fund.....	161 33
To balance on hand December 31st, 1872.....	236,555 49
Total.....	\$1,284,484 99

[F]

STATEMENT

Showing the disbursements from the different Funds, total receipts, and balance on hand at the beginning and close of the year.

GENERAL REVENUE—COIN.

Cr.

By balance on hand January 1st, 1872.....	\$191,463 82
By redemption of State bonds belonging to State School Fund.....	58,000 00
By interest on State bonds belonging to State School Fund.....	7,770 00
By receipts from County Treasurers on June and December settlements.....	420,867 74
By sale of insurance license.....	35 00
By sale of attorneys' licenses.....	475 00
By sale of Nevada State bonds, 1872 issue.....	500,000 00
By Supreme Court docket tax.....	240 00
By fees in office of Secretary of State.....	1,913 40
By delinquent stamp tax.....	2,342 54
By receipts from Devil's Gate Toll Road.....	399 14
By receipts from State Prison labor.....	3,162 83
By receipts from sale of stamps.....	9,288 74
By receipts from sale of currency.....	88,526 78
Total.....	\$1,284,484 99
By balance on hand December 31st, 1872.....	\$236,555 49

[F]

STATEMENT

Showing disbursements from the different Funds, total receipts, and balance on hand at the beginning and close of the year.

GENERAL REVENUE, CURRENCY.

Dr.

Cr.

To warrants paid from General Fund.....	\$6,000 00	By balance on hand January 1st, 1872.....	\$11,786 28
To warrants paid from State School Fund.....	400 00	By collections from General Government, \$60,000, less expressage \$150.....	59,850 00
To warrants paid from Special Land Fund.....	194 00	By collections from General Government.....	86 32
To defalcation of E. Rhoades on special de- posit account.....	850 00	By sales of State land on contract under section nine; laws of 1871.....	1,594 16
To sale of currency during the year.....	99,484 14	By sales of State land under section eight, land law of 1871.....	20,572 95
To balance on hand December 31st, 1872.....	3,625 27	By sales of State land under section seven, land law of 1871.....	15,422 80
		By receipts under section eleven, land law of 1871.....	1,240 90
			<u>\$110,553 41</u>
		By balance December 31st, 1872.....	\$3,625 27

STATEMENT

Showing outstanding warrants January 1st, 1872; warrants drawn, registered, paid, and returned during the year, and warrants outstanding December 31st, 1872.

GENERAL WARRANT ACCOUNT, COIN AND CURRENCY.

FUNDS.	Warrants outstanding Jan. 1, 1872.		Warrants drawn during the year.	
	Coin.	Currency.	Coin.	Currency.
General Fund.....	\$92,387 42	\$11 31	\$71,986 81	\$6,000 00
State Prison Fund.....	43,687 83	.....	49,040 27	.....
State Orphan Home Fund.....	11,442 76	.....	8,271 78	.....
Indigent Insane Fund.....	.....	.....	21,036 62	.....
State Legislative Fund, 1871.....	5 00	.....	.....	.....
State Library Fund.....	.....	.....	2,697 00	.....
State Capitol Fund.....	61,375 00	.....	.....	.....
State School Fund.....	.....	.....	111,410 22	400 00
General School Fund.....	.....	.....	22,613 74	.....
Judicial Salary Fund.....	.....	.....	20,828 69	.....
Soldiers' Fund.....	1,066 93	2 00	47 50	.....
State Interest and Sinking Fund, 1867.....	.....	.....	537,425 00	.....
State Interest and Sinking Fund, 1871-2.....	.....	.....	19,796 09	.....
Territorial Interest and Sinking Fund, 1872.....	.....	.....	18,238 10	.....
Special Land Fund.....	.....	.....	.....	194 00
Nevada Orphan Asylum Fund.....	3,050 00	.....	2,400 00	.....
Totals	\$213,014 94	\$13 31	\$885,791 73	\$6,594 00

[G] GENERAL WARRANT ACCOUNT, COIN AND CURRENCY—Continued.

FUNDS.	Warrants paid during the year.		Warrants outstanding Dec. 31, 1872.	
	Coin.	Currency.	Coin.	Currency.
General Fund.....	\$153,228 73	\$6,000 00	\$11,145 50	\$11 31
State Prison Fund.....	88,533 19	.....	4,194 91	.....
State Orphan Home Fund.....	19,691 02	.....	23 52	.....
Indigent Insane Fund.....	19,149 93	.....	1,886 69	.....
State Legislative Fund, 1871.....	.....	.....	5 00	.....
State Library Fund.....	2,672 00	.....	25 00	.....
State Capitol Fund.....	37,303 18	.....	24,071 82	.....
State School Fund.....	108,117 28	400 00	3,292 94	.....
General School Fund.....	22,613 74	.....	.....	.....
Judicial Salary Fund.....	15,750 00	.....	5,078 69	.....
Soldiers' Fund.....	161 33	.....	953 10	2 00
State Interest and Sinking Fund, 1867.....	537,425 00	.....	.....	.....
State Interest and Sinking Fund, 1871-2.....	19,796 00	.....	.....	.....
Territorial Interest and Sinking Fund, 1872.....	18,238 10	.....	.....	.....
Special Land Fund.....	.....	194 00	.....	.....
Nevada Orphan Asylum Fund.....	5,250 00	.....	200 00	.....
Totals.....	\$1,047,929 50	\$6,594 00	\$50,877 17	\$13 31

EXHIBIT "H."

[H]

STATEMENT

Showing receipts for the year 1872.

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
Jan. 10.	William Coin.....	Attorney license.....	\$25 00	.....
Jan. 19.	George Seitze.....	Third payment on State land contract....	.....	\$192 00
Feb. 3.	W. H. Sears.....	Attorney license.....	25 00	.....
Feb. 6.	J. A. Brumsey.....	40 acres State land.....	.....	100 00
Feb. 12.	D. L. Bliss.....	160 acres State land.....	.....	200 00
Feb. 13.	Pat. Kelley.....	Second payment on State land contract....	.....	39 00
Mar. 6.	M. A. Murphy.....	Attorney license.....	25 00	.....
Mar. 8.	State Bond Commissioners.....	Sale of State bonds, 1872.....	500,000 00	.....
Mar. 8.	State School Fund, bond account.....	Redemption of State bonds belonging to School Fund.....	58,000 00	.....
Mar. 8.	State School Bond interest account.....	Interest on State bonds belonging to School Fund.....	4,350 00	.....
Mar. 18.	James Elliott.....	Completion of payment on State land.....	.....	6 43
Mar. 22.	H. D. Beene.....	Attorney license.....	25 00	.....
Mar. 23.	Willett Gates.....	First payment on State land contract.....	.....	79 98
Mar. 23.	Richard A. Chase.....	First payment on State land contract.....	.....	40 88
Mar. 26.	John P. Foulks.....	77 ¹ / ₁₀ acres State land.....	.....	194 27
April 1.	Alfred Helm.....	Docket tax Supreme Court.....	120 00	.....
April 1.	J. D. Minor.....	Library fees from Secretary of State.....	328 00	.....

April 6..	Lawrence Statutler.....	Fourth payment on State land contract.....	33 00
April 22..	L. N. Fassett.....	314.7 ⁸ / ₁₀₀ acres State land.....	393 48
April 22..	H. P. Cowsls	286.3 ⁰ / ₁₀₀ acres State land.....	357 88
April 22..	J. H. Eaton	320 acres State land.....	400 00
April 22..	H. F. Hatch	320 acres State land.....	400 00
April 22..	A. J. Hatch	120 acres State land.....	150 00
April 22..	Isaac W. Fassett.....	318.7 ⁸ / ₁₀₀ acres State land.....	398 48
April 22..	W. F. Jones.....	320 acres State land.....	400 00
April 22..	J. J. Alexander.....	40 acres State land.....	100 00
April 22..	James N. Huston.....	240 acres State land.....	300 00
April 22..	S. M. Burbank.....	82.1 ⁰ / ₁₀₀ acres State land.....	102 50
April 22..	G. W. Likens.....	40 acres State land.....	100 00
April 22..	O. H. Parker.....	163.1 ⁸ / ₁₀₀ acres State land.....	203 94
April 22..	L. Stern.....	162.8 ⁸ / ₁₀₀ acres State land.....	203 61
April 22..	John L. Rodgers.....	40 acres State land.....	100 00
May 2...	Henry Phillips, Treasurer Lincoln Co...	Semi-annual settlement for December, 1871.....	16,191 91
May 4...	Wells, Fargo & Co.....	Delinquent stamp tax.....	283 96
May 7...	Devil's Gate Toll Road.....	2 per cent tax on gross receipts for quarter ending March 31st.....	178 96
May 8...	T. W. Healey.....	160 acres State land.....	200 00
May 8...	Thomas V. Julian.....	Attorney license.....	25 00
May 8...	J. J. Maxwell.....	Attorney license.....	25 00
May 13..	W. B. King.....	Last payment on State land contract.....	80 00
May 13..	Frank Denver.....	Receipts for labor of convicts.....	723 20
May 19..	William J. Hardy.....	Attorney license.....	25 00
June 1...	S. S. Grass.....	Attorney license.....	25 00
June 1...	C. S. Varian.....	Attorney license.....	25 00
June 3...	Joseph Davis.....	40 acres State land.....	50 00
June 4...	Francis Honneyman.....	First payment on State land contract.....	80 00
June 7...	J. J. Schribner.....	Attorney license.....	25 00
June 10..	G. L. Waters.....	Attorney license.....	25 00
Amount carried forward.....			\$4,905 45
			\$580,451 03

RECEIPTS FOR THE YEAR 1872—Continued.

[H]

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
June 10.	Amount brought forward.....	.....		\$4,905 45
June 13.	W. B. Tiffany.....	75 ¹⁷ / ₁₀₀ acres State land.....	\$580,451 03	187 92
June 15.	Ellen D. McComber.....	240 acres State land.....		300 00
June 15.	Robert A. Frazier, Treasurer Washoe County.....			
June 17.	Caroline M. Lapham.....	Semi-annual settlement for June, 1872.....	8,307 38	
June 17.	M. A. McDonald, Treasurer Storey Co.....	First payment on State land contract.....		80 00
June 18.	W. H. Hall, Treasurer Esmeralda Co.....	Semi-annual settlement for June, 1872.....	41,845 23	
June 18.	Noah Blossom, Treasurer Douglas Co.....	Semi-annual settlement for June, 1872.....	671 46	
June 19.	Geo. H. Shepherd, Treasurer Elko Co.....	Semi-annual settlement for June, 1872.....	449 15	
June 21.	Christ. Lark, Treasurer Humboldt Co.....	Semi-annual settlement for June, 1872.....	2,407 59	
June 22.	B. H. Carrick, Treasurer Lyon Co.....	Semi-annual settlement for June, 1872.....	1,531 40	
June 24.	Chas. F. Singletary, Treasurer Nye Co.....	Semi-annual settlement for June, 1872.....	1,645 34	
June 24.	Henry Phillips, Treasurer Lincoln Co.....	Semi-annual settlement for June, 1872.....	3,338 22	
June 25.	H. S. Mason, Treasurer Ormsby Co.....	Semi-annual settlement for June, 1872.....	10,351 15	
June 25.	Alexander Lunon.....	40 acres State land.....	2,437 11	
June 25.	J. P. Winnie.....	139 ⁵⁶ / ₁₀₀ acres State land.....		50 00
June 25.	Truman H. Thompson.....	First payment on State land contract.....		174 43
July 1.	Alfred Helm.....	Docket tax, Supreme Court.....		19 92
July 1.	J. M. Ford.....	Attorney license.....	40 00	
July 2.	Frank Denver, Warden State Prison.....	Receipts from prison labor.....	25 00	
July 3.	George W. Keith.....	Attorney license.....	978 60	
July 8.	James D. Minor, Secretary State.....	Library fees in office Secretary State.....	25 00	
July 8.	James S. Savage.....	120 acres State land.....	408 60	
July 8.	W. J. Brandon, Treasurer Churchill Co.....	Semi-annual settlement for June, 1872.....		150 00
July 8.			76 21	

July 10..	L. R. Bradley, Governor of the State of Nevada	Collections from General Government, \$60,000, less expressage, \$150 00.....	5,833 27	59,850 00
July 15..	George F. Densmore, Treasurer Lander County	Semi-annual settlement for June, 1872....	83 90	
July 17..	R. Smith, agent Wells, Fargo & Co., Reno	Delinquent stamp tax	47 50	
July 17..	D. A. Bender & Co., Reno.....	Delinquent stamp tax	43 50	
July 17..	Curtis & Paxton, Austin.....	Delinquent stamp tax	9 25	
July 17..	James Murry, Austin.....	Delinquent stamp tax	29 70	
July 19..	H. S. King, agent W. F. & Co., Eureka.	Delinquent stamp tax	52 25	
July 19..	H. S. King, agent W. F. & Co., Hamilton	Delinquent stamp tax	226 61	
July 22..	Paxton & Co., bankers, Eureka.....	Delinquent stamp tax		
July 22..	E. Caldwell, agent Jackson M. & M Co., Eureka.....	Delinquent stamp tax	25 50	
July 22..	E. Caldwell, agent Phenix M. & M. Co., Eureka.....	Delinquent stamp tax	21 25	
July 22..	W. S. Keys, Supt. E. C. M. & M. Co., Eureka.....	Delinquent stamp tax	112 50	
July 22..	S. B. Morey, Supt. Seymour M. & M. Co., Eureka.....	Delinquent stamp tax	3 25	
July 22..	R. H. Fisher, Supt. Richmond M. & M. Co., Eureka.....	Delinquent stamp tax	86 35	
July 22..	L. C. McKinney, Supt. Star M. & M. Co., Eureka.....	Delinquent stamp tax	4 00	
July 22..	A. M. Ellsworth, Supt. Adams Mining Co., Eureka.....	Delinquent stamp tax	6 50	
July 22..	Amelia M. Chase.....	First payment on contract for State land	80 00	
July 22..	William Patterson.....	First payment on contract for State land	40 83	
July 24..	W. P. Willard, agent Bank of California, Hamilton	Delinquent stamp tax	277 60	
July 24..	John A. Paxton, banker, Austin.....	Delinquent stamp tax	75 00	
July 24..	R. Sadler, Austin.....	Delinquent stamp tax	7 50	
	Amount carried forward.....		\$661,933 90	\$65,838 55

RECEIPTS FOR THE YEAR 1872—Continued.

[H]

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
July 24.	Amount brought forward.....			
July 27.	P. Everts, Hamilton.....	Delinquent stamp tax.....	\$661,933 90	\$65,838 55
July 27.	Henry Decker.....	320 ¹ / ₁₀₀ acres State land.....	3 20	401 05
July 29.	W. W. Kelton, for K. M. Co., Pioche...	Delinquent stamp tax.....	4 25	
July 29.	T. R. Butler, for H. M. Co., Pioche.....	Delinquent stamp tax.....	7 35	
July 29.	C. W. Lighner, for R. & E. M. Co., Pioche.....	Delinquent stamp tax.....	245 60	
July 29.	M. F. Tarpey, for M. V. M. Co., Pioche.....	Delinquent stamp tax.....	270 96	
July 29.	B. F. Sides, for Wells, Fargo & Co., Pioche.....	Delinquent stamp tax.....	232 47	
July 29.	P. C. Hyman, for W. & C. M. Co., Pioche.....	Delinquent stamp tax.....	23 00	
July 29.	M. W. Hall, for P. & P. M. Co., Pioche.....	Delinquent stamp tax.....	2 75	
July 29.	A. J. Blair, for B. M. Co., Pioche.....	Delinquent stamp tax.....	10 00	
July 29.	T. R. Butler, for Pioche M. Co., Pioche.....	Delinquent stamp tax.....	18 40	
July 29.	C. M. Walton, for N. M. Co., Pioche.....	Delinquent stamp tax.....	4 50	
July 29.	J. C. Lemon, for C. & S. M. Co., Pioche.....	Delinquent stamp tax.....	5 50	
July 29.	B. W. Field, banker, Pioche.....	Delinquent stamp tax.....	12 50	
July 31.	Jerry Schooling, State Treasurer.....	On account of sale of State stamps.....	4,500 00	
Aug. 5.	United States.....	Five per cent on land sales by General Government.....		
Aug. 6.	Jane Lake.....	Eighty acres State land.....		86 32
Aug. 6.	John B. Gibbons.....	Forty acres State land.....		200 00
Aug. 6.	W. P. Willard, Treasurer White Pine Co.....	Semi-annual settlement for June, 1872.....	5,600 95	50 00
Aug. 8.	Cornelius Muller.....	First payment on contract for State land.....		80 26
Aug. 8.	James Ryan.....	First payment on contract for State land.....		70 00
Aug. 8.	Clark Cleaver.....	First payment on contract for State land.....		70 00
Aug. 13.	W. N. Grainger.....	Attorney license.....	25 00	
Aug. 13.	Henry L. Hoppin.....	First payment on contract for State land.....		79 86

Aug. 17..	J. A. Hoppin.....	First payment on contract for State land.....	.....	80 00
Aug. 26..	Green C. Crowley.....	First payment on contract for State land.....	.....	80 00
Aug. 27..	Thad. C. Hoppin.....	First payment on contract for State land.....	.....	80 00
Aug. 28..	John Thatcher.....	Attorney license.....	25 00	.....
Aug. 30..	A. B. Jackson.....	267 $\frac{1}{4}$ acres State land.....	.....	334 37
Aug. 30..	O. Buchannon.....	320 acres State land.....	.....	400 00
Aug. 30..	John Mitchell.....	259 $\frac{1}{10}$ acres State land.....	.....	324 40
Aug. 30..	C. M. Walton.....	Delinquent stamp tax.....	5 00	.....
Aug. 30..	Jonathan Whipple.....	160 acres State land.....	.....	200 00
Aug. 30..	George B. Hilgen.....	320 acres State land.....	.....	400 00
Aug. 30..	R. L. Hobart.....	320 acres State land.....	.....	400 00
Aug. 30..	Edward Chandler.....	320 acres State land.....	.....	400 00
Aug. 30..	George H. Morrison.....	280 acres State land.....	.....	350 00
Aug. 30..	Paul Mitchell.....	320 acres State land.....	.....	400 00
Aug. 30..	Daniel Roberts.....	320 acres State land.....	.....	400 00
Aug. 30..	Joseph L. Lowe.....	320 acres State land.....	.....	400 00
Aug. 30..	John Dunne.....	311 $\frac{1}{10}$ acres State land.....	.....	388 87
Aug. 30..	William L. Lowe.....	320 acres State land.....	.....	400 00
Aug. 30..	T. W. Healy.....	162 $\frac{1}{10}$ acres State land.....	25 00	202 51
Sept. 5..	R. R. Bigalow.....	Attorney license.....	.....	.....
Sept. 6..	Jonathan Whipple.....	160 acres State land.....	.....	200 00
Sept. 6..	O. A. Sanborn.....	320 acres State land.....	.....	400 00
Sept. 6..	A. C. Hamilton.....	320 acres State land.....	.....	400 00
Sept. 6..	H. C. Raymond.....	320 acres State land.....	.....	400 00
Sept. 6..	Thomas Quinlan.....	321 $\frac{1}{10}$ acres State land.....	.....	402 47
Sept. 6..	C. H. Daly.....	320 $\frac{1}{10}$ acres State land.....	.....	400 81
Sept. 7..	J. C. Fairbanks.....	First payment on contract for State land.....	.....	160 00
Sept. 11..	Devil's Gate Toll Road Company.....	Two per cent tax on gross receipts for quarter ending June 30th.....	113 58	.....
Sept. 13..	C. L. Phippeny.....	First payment on contract for State land.....	25 00	80 00
Sept. 13..	Paul W. Bennett.....	Attorney license.....	.....	.....
Amount carried forward.....		\$673,093 91		\$74,559 47

RECEIPTS FOR THE YEAR 1872—Continued.

[H]

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
Sept. 17..	Amount brought forward.....	Delinquent stamp tax.....	\$673,093 91	\$74,559 47
Sept. 22..	Lillian Hall M. & M. Co.....	40 acres State land.....	6 40	50 00
Sept. 28..	John B. Dondero.....	Full payment on contract for State land.	.....	320 00
Sept. 30..	C. M. Lapham.....	80 acres State land.....	.....	100 00
Sept. 30..	George H. Cannell.....	80 acres State land.....	.....	200 00
Sept. 30..	Josiah B. Cannell.....	80 acres State land.....	.....	100 00
Sept. 30..	George H. Cannell.....	Fees of office Secretary State for quarter ending September 30th.....	226 40	.....
Oct. 1..	James D. Minor.....	Receipts for labor and material for quarter ending September 30th.....	619 63	.....
Oct. 1..	Frank Denver, Warden State Prison....	Interest on State bonds belonging to State School Fund.....	3,420 00	.....
Oct. 7..	State School Bond Interest account....	Docket tax of Supreme Court.....	80 00	.....
Oct. 8..	Alfred Helm, Clerk Supreme Court....	40 acres State land.....	.....	100 00
Oct. 8..	Martin Cooney.....	Attorney license.....	25 00	.....
Oct. 8..	H. N. Lowry.....	320 acres State land.....	.....	400 00
Oct. 9..	James C. Conney.....	240 acres State land.....	.....	300 00
Oct. 9..	Thomas Lattie.....	320 acres State land.....	.....	400 00
Oct. 9..	Edward Hurde.....	280 acres State land.....	.....	350 00
Oct. 10..	Robert Noblett.....	First payment on contract for State land.	.....	100 00
Oct. 12..	Warren Howard.....	320 acres State land.....	.....	400 00
Oct. 17..	Thomas McConnell.....	320 acres State land.....	.....	400 00
Oct. 17..	George Mack.....	320 acres State land.....	.....	400 00
Oct. 17..	Joseph S. Geskill.....	320 acres State land.....	.....	400 00
Oct. 17..	Thomas M. Tavenor.....	319 ⁵⁰ / ₁₀₀ acres State land.....	.....	399 50
Oct. 17..	George T. Carr.....	320 acres State land.....	.....	400 00

Oct. 17...	Charles McConnell	320 acres State land.....	.....	400 00
Oct. 18...	Lewis C. Cady.....	200 acres State land.....	.....	250 00
Oct. 18...	Horace Hand.....	320 acres State land.....	.....	400 00
Oct. 22...	Pratt Holcomb.....	80 acres State land.....	.....	200 00
Oct. 22...	Jerry Schooling, State Treasurer.....	One per cent on sales of land and special deposits.....	.....	600 00
Oct. 23...	Devil's Gate Toll Road Co.....	Two per cent on gross receipts for quarter ending September 30th.....	106 60	.....
Oct. 24...	James A. Rigbey.....	80 acres State land.....	.....	100 00
Oct. 30...	S. Boyd.....	320 acres State land.....	.....	400 00
Oct. 30...	Job Smith.....	320 acres State land.....	.....	400 00
Oct. 30...	F. Brannan.....	160 acres State land.....	.....	200 00
Oct. 30...	William Garhart.....	320 acres State land.....	.....	400 00
Oct. 30...	C. Lallie.....	320 acres State land.....	.....	400 00
Oct. 31...	William Cusiok.....	First payment on contract for State land.....	.....	120 00
Nov. 2...	E. P. Blair.....	80 acres State land.....	.....	100 00
Nov. 6...	Peter Cooney.....	First payment on contract for State land.....	.....	60 00
Nov. 6...	J. B. Dondero	40 acres State land.....	.....	50 00
Nov. 6...	Delos D. Cragin	First payment on contract for State land.....	.....	50 00
Nov. 7...	Truman H. Thompson.....	Full payment on contract for State land.....	.....	82 60
Nov. 12...	James Davis and Daniel Virgin.....	40 acres State land.....	.....	50 00
Nov. 12...	Geo. W. Baker.....	Attorney license.....	25 00	.....
Nov. 13...	Davis & Virgin.....	80 acres State land.....	.....	100 00
Nov. 16...	Patrick Kelley	Full payment on contract for State land.....	.....	96 00
Nov. 16...	Thomas Moore.....	320 acres State land.....	.....	800 00
Nov. 16...	Thomas O. Jackson.....	320 acres State land.....	.....	800 00
Nov. 16...	Joseph F. Smith.....	320 acres State land.....	.....	800 00
Nov. 16...	Asa Role.....	320 acres State land.....	.....	800 00
Nov. 16...	A. B. Bailey.....	320 acres State land.....	.....	800 00
Nov. 19...	Ellen Lockie.....	160 acres State land.....	.....	200 00
Nov. 23...	John J. Wheeler.....	First payment on contract for State land.....	.....	40 00
Amount carried forward.....		.....	\$677,602 94	\$87,676 97

RECEIPTS FOR THE YEAR 1872—Continued.

[H]

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
Nov. 26.	Amount brought forward.....	.....	\$677,602 94	\$87,676 97
Nov. 26.	W. B. Tiffany.....	78 ¹⁷ / ₁₀₀ acres State land.....	.....	195 42
Nov. 26.	James Davis.....	40 acres State land.....	.....	50 00
Nov. 26.	Thomas B. Atkinson.....	160 acres State land.....	.....	400 00
Nov. 26.	Hugh Park.....	40 acres State land.....	.....	50 00
Nov. 26.	William H. Hill.....	40 acres State land.....	.....	50 00
Nov. 26.	William McCall.....	First payment on contract for State land.....	.....	70 00
Dec. 2.	James G. Gilbert.....	First payment on contract for State land.....	.....	60 00
Dec. 2.	William W. Williamson.....	First payment on contract for State land.....	.....	80 00
Dec. 6.	Charles A. Nichols.....	320 acres State land.....	.....	400 00
Dec. 6.	Edward G. Bradley.....	80 acres State land.....	.....	100 00
Dec. 6.	Peter Flynn.....	120 acres State land.....	.....	150 00
Dec. 6.	Amos Gustin.....	40 acres State land.....	.....	50 00
Dec. 6.	B. F. Riley.....	40 acres State land.....	.....	50 00
Dec. 6.	James A. Rigbey.....	120 acres State land.....	.....	150 00
Dec. 6.	William A. Trousdale.....	118 ⁸⁴ / ₁₀₀ acres State land.....	.....	148 55
Dec. 6.	William E. Price.....	80 acres State land.....	.....	200 00
Dec. 6.	W. B. Campbell.....	52 ¹⁷ / ₁₀₀ acres State land.....	.....	131 77
Dec. 6.	Peter Guio.....	80 acres State land.....	.....	100 00
Dec. 6.	Augustus Perkins.....	80 acres State land.....	.....	100 00
Dec. 6.	John Fisher.....	178 ⁵⁰ / ₁₀₀ acres State land.....	.....	223 12
Dec. 6.	A. P. Hawes.....	320 acres State land.....	.....	400 00
Dec. 6.	John Spencer.....	160 acres State land.....	.....	200 00
Dec. 6.	Hellen B. Johnson.....	160 acres State land.....	.....	200 00
Dec. 6.	N. J. Saviers.....	320 acres State land.....	.....	400 00
Dec. 6.	Mathew Senat.....	160 acres State land.....	.....	200 00

Dec.	6.	R. E. Egan	80 acres State land.....	.....	100 00
Dec.	6.	E. Cady	320 acres State land.....	.....	400 00
Dec.	6.	J. R. Johnson.....	320 acres State land.....	.....	400 00
Dec.	6.	Adam S. Elliott	80 acres State land.....	.....	100 00
Dec.	6.	A. McLeod.....	320 acres State land.....	.....	400 00
Dec.	6.	R. T. Carroll.....	320 acres State land.....	.....	800 00
Dec.	6.	G. W. Huffaker.....	120 acres State land.....	.....	300 00
Dec.	6.	Otto Schultz	120 acres State land.....	.....	150 00
Dec.	6.	B. Recanzone.....	120 acres State land.....	.....	150 00
Dec.	6.	J. O. Powers.....	320 acres State land.....	.....	400 00
Dec.	6.	Joseph E. Jones.....	43 ⁸⁴ / ₁₀₀ acres State land.....	.....	109 85
Dec.	6.	James A. Rigbey.....	40 acres State land.....	.....	50 00
Dec.	6.	J. M. Riorden	40 acres State land.....	.....	100 00
Dec.	6.	I. S. Parke.....	80 acres State land.....	.....	200 00
Dec.	6.	P. F. Powers.....	40 acres State land.....	.....	50 00
Dec.	6.	M. Lake.....	120 acres State land.....	.....	300 00
Dec.	6.	G. Thorpe.....	40 acres State land.....	.....	100 00
Dec.	6.	J. F. Small.....	120 acres State land.....	.....	150 00
Dec.	6.	M. Willard.....	40 acres State land.....	.....	50 00
Dec.	6.	J. B. Moore.....	320 acres State land.....	.....	400 00
Dec.	7.	John Cochrane.....	80 acres State land.....	.....	200 00
Dec.	9.	Jerry Schooling, State Treasurer.....	Balance on stamp settlement for June, 1878.....	532 69	.....
Dec.	10.	N. Blossom, Treasurer Douglas Co.....	Semi-annual settlement for Dec., 1872.....	10,018 17	.....
Dec.	10.	W. J. Brandon, Treasurer Churchill Co.....	Semi-annual settlement for Dec., 1872.....	4,206 63	.....
Dec.	11.	B. H. Carriek, Treasurer Lyon Co.....	Semi-annual settlement for Dec., 1872.....	15,678 62	.....
Dec.	11.	W. H. Hall, Treasurer Esmeralda Co.....	Semi-annual settlement for Dec., 1872.....	5,641 29	.....
Dec.	11.	Eliza A. Buchland.....	First payment on contract for State land.....	.....	79 95
Dec.	11.	Christ. Lark, Treasurer Humboldt Co.....	Semi-annual settlement for Dec., 1872.....	25,806 32	.....
Dec.	13.	Solomon Geller.....	80 acres State land.....	.....	200 00
Dec.	13.	Robt. A. Frazier, Treasurer Washoe Co.....	Semi-annual settlement for Dec., 1872.....	23,598 10	.....
Dec.	13.	Geo. H. Shepherd, Treasurer Elko Co.....	Semi-annual settlement for Dec., 1872.....	29,263 73	.....
Amount carried forward.....				\$792,345 49	\$97,026 23

RECEIPTS FOR THE YEAR 1872—Continued.

[H]

Date.	FROM WHOM RECEIVED.	FOR WHAT RECEIVED.	Coin.	Currency.
Dec. 16.	Amount brought forward.....	.....	\$792,345 49	\$97,026 23
Dec. 16.	David A. Bender.....	160 acres State land.....	.....	400 00
Dec. 16.	W. P. Willard, Treasurer White Pine Co.	Semi-annual settlement for Dec., 1872.....	16,464 63	.....
Dec. 16.	Chas. F. Singletary, Treasurer Nye Co.	Semi-annual settlement for Dec., 1872.....	10,948 85	.....
Dec. 17.	B. B. Cory.....	80 acres State land.....	.....	100 00
Dec. 23.	M. A. McDonald, Treasurer Storey Co.	Semi-annual settlement for Dec., 1872.....	78,808 97	.....
Dec. 24.	J. C. Wicks.....	80 acres State land.....	.....	200 00
Dec. 24.	H. S. Mason, Treasurer Ormsby Co.....	Semi-annual settlement for Dec., 1872.....	22,552 52	.....
Dec. 26.	Henry Phillips, Treasurer Lincoln Co.....	Semi-annual settlement for Dec., 1872.....	38,714 71	.....
Dec. 27.	Geo. F. Densmore, Treasurer Lander Co.	Semi-annual settlement for Dec., 1872.....	38,478 83	.....
Dec. 30.	Jerry Schooling, State Treasurer.....	One per cent on special deposits and land sales.....	.....	640 90
Dec. 31.	J. D. Minor, Secretary State.....	Sale of Nevada Reports and fees of office.....	950 40	.....
Dec. 31.	Wells, Fargo & Co.....	Delinquent stamp tax.....	97 54	.....
Dec. 31.	Jerry Schooling, State Treasurer.....	Sale of State stamps.....	4,256 05	.....
Dec. 31.	W. W. Hobart, State Controller.....	Sale of insurance license.....	35 00	.....
Dec. 31.	Frank Denver, Warden State Prison.....	Receipts from prison labor.....	841 40	.....
Dec. 31.	Charles G. Butler.....	160 acres State land.....	.....	400 00
	Totals.....	.....	\$1,004,494 39	\$98,767 13

EXHIBIT "I."

[I] STATEMENT

Showing disbursements for the year 1872.

DISBURSEMENTS.		Coin.	Currency.
<i>From General Fund.</i>			
On account of salary of Governor.....	\$9,000 00		
On account of salary of Governor's Private Secretary.....	4,051 62		
On account of incidental expenses of Governor's office.....	686 82	\$13,738 44	.....
On account of salary of Secretary of State.....	\$5,400 00		
On account of salary of Deputy Secretary of State.....	5,000 00		
On account of extra clerical hire.....	1,761 43		
On account of salary of Librarian.....	3,188 71		
On account of incidental expenses of office.....	1,221 58	16,571 72	.....
On account of salary of Controller.....	\$5,400 00		
On account of salary of Deputy Controller.....	5,000 00		
On account of extra clerical hire.....	1,842 50		
On account of incidental expenses of office.....	906 12	13,148 62	.....

On account of salary of State Treasurer.....	\$5,400 00		
On account of salary of clerk.....	4,051 62		
On account of incidental expenses of office.....	381 64	9,833 26	
On account of salary of Surveyor General.....	\$5,400 00		
On account of incidental expenses of office.....	260 06	5,660 06	
On account of salary of State Mineralogist	\$5,400 00		
On account of incidental and traveling expenses of office.....	3,836 06	9,236 06	
On account of salary of Attorney General.....	\$3,797 85		
On account of incidental expenses of office.....	415 13	4,212 98	
On account of salary of Superintendent of Public Instruction.....	\$3,000 00		
On account of incidental and traveling expenses of office.....	770 88	3,770 88	
On account of publication of Nevada Reports.....		7,400 00	
On account of stationery, fuel, and lights, for Capitol.....		3,767 57	
On account of furnishing and repairs for Capitol.....		15,784 02	
On account of care of indigent insane.....		1,569 13	
On account of incidental expenses of Supreme Court.....		590 23	
On account of night watch and portrage for Capitol.....		5,520 23	
On account of rent of offices.....		1,140 00	
On account of fitting up Legislative halls		4,452 00	
On account of fees in legal cases		744 00	
On account of clerk hire for Board of Examiners.....		850 00	
Carried forward.....		\$117,989 20	

[I] STATEMENT SHOWING DISBURSEMENTS FOR THE YEAR 1872—Continued.

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....		\$117,989 20	.....
On account of State printing.....		\$14,160 73	.....
On account of general expenditures.....		21,078 80	.....
On account of commissions from General Government.....		.....	\$6,000 00
<i>From State School Fund.</i>			
On account of salary of Deputy Land Register.....	\$1,800 00		
On account of incidental expenses of Land Office.....	1,211 96		
On account of State bonds purchased for School Fund.....	105,105 32		
		108,117 28	.....
On account of defalcation of E. Rhoades on special deposits.....	\$850 00		
On account of redemption of school land warrants.....	400 00		
		.....	\$1,250 00
<i>From General School Fund.</i>			
On account of apportionment of school moneys to counties.....		22,613 74	.....
<i>From State Interest and Sinking Fund, 1867.</i>			
On account of redemption of State bonds, 1867.....		500,000 00	.....

On account of interest on State bonds, 1867.....	37,425 00	.....	.....
<i>From Special Land Fund.</i>			
On account of selecting State lands.....	194 00	.....	.....
41 <i>From State Interest and Sinking Fund, 1871-2.</i>			
On account of interest on State bonds of 1871.....	\$8,025 00		
On account of exchange paid on interest on bonds of 1871.....	17 75		
On account of interest on State bonds of 1871-2.....	11,700 00		
On account of exchange paid on interest on State bonds of 1871-2.....	53 25		
	19,796 00		
<i>From Territorial Interest and Sinking Fund, 1872.</i>			
On account of interest on State bonds of 1872.....	\$18,050 00		
On account of exchange paid on interest.....	188 10		
	18,238 10		
<i>From State Library Fund.</i>			
On account of books purchased for Library.....	\$2,534 50		
On account of incidental expenses of Library.....	137 50		
	2,672 00		
<i>From State Prison Fund.</i>			
On account of salary of Warden of Prison.....	\$5,500 00		
On account of salary of Deputy Warden.....	3,007 33		
Carried forward.....	\$8,507 33	\$862,090 85	\$7,444 00

[I] STATEMENT SHOWING DISBURSEMENTS FOR THE YEAR 1872—Continued.

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....	\$8,507 33	\$862,090 85	\$7,444 00
On account of salary of guards.....	18,466 81		
On account of general expense of Prison.....	61,559 05	\$88,533 19	
<i>* From the Indigent Insane Fund.</i>			
On account of care of indigent insane.....		19,149 93	
<i>From State Orphans' Home Fund.</i>			
On account of salary of employes at Home.....	\$5,503 80		
On account of general expense of Home.....	14,187 22	19,691 02	
<i>From Nevada Orphan Asylum Fund.</i>			
On account of care of orphans at Virginia Asylum.....		5,250 00	
<i>From State Capitol Fund.</i>			
On account of Capitol building expenses.....		27,303 18	

From Judicial Salary Fund.

On account of salary of Supreme Judges.....

15,750 00

.....

From Soldiers' Fund.

On account of extra pay to Nevada Volunteers.....

161 33

.....

Totals

\$1,047,929 50

\$7,444 00

[J]

STATEMENT

Showing the sale of currency during the year, and out of what Funds.

SALES OF CURRENCY.		Currency.	Coin.	Discount.
<i>From General Fund.</i>				
Currency sold.....		\$53,079 01		
Coin realized.....			\$47,079 72	
Discount on currency.....				\$5,999 29
<i>From State School Fund.</i>				
Currency sold.....		44,926 19		
Coin realized.....			40,119 47	
Discount on currency.....				4,806 72
<i>From State Interest and Sinking Fund of 1867.</i>				
Currency sold.....		1,030 57		
Coin realized.....			928 54	
Discount on currency.....				102 03

From State Capitol Fund.

Currency sold.....	231 49	.....	.....
Coin realized.....	.....	207 12	.....
Discount on currency.....	.....	.....	24 37

From State Library Fund.

Currency sold.....	40 63	.....	.....
Coin realized.....	.....	35 95	.....
Discount on currency.....	.....	.....	4 68

From State Prison Fund.

Currency sold.....	176 25	.....	.....
Coin realized.....	155 98
Discount on currency.....	20 27

Totals.....	\$99,484 14	\$88,526 78	\$10,957 36
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STATEMENT

[K]

Showing list of State bonds purchased and held as securities for the State School Fund.

Nos.	Date issued.	Date redeemable.	Date of payment of interest.	Rate of interest.	Am't of bonds.
	1871.	1881.			
2	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	\$500 00
3	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	500 00
4	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	500 00
6	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	500 00
91	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
92	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
130	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
131	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
132	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
133	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
134	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
181	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
182	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
183	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
184	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
185	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00
186	April 1st.....	April 1st.....	April 1st.....	10 per cent per annum.....	1,000 00

187	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	1,000 00
192	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
193	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
194	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
195	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
196	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
197	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
200	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
201	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
202	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
203	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
204	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
205	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
206	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
207	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
208	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
209	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
210	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
211	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
212	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
213	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.....	100 00
						\$18,000 00
225	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
233	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
242	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
246	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
247	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
248	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
250	March 1st.....	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
Amount carried forward						\$25,000 00

1882.

1872.

[K] • STATEMENT SHOWING LIST OF STATE BONDS—Continued.

Nos.	Date issued.	Date redeemable.	Date of payment of interest.	Rate of interest.	Am't of bonds.
Amount brought forward					
\$25,000 00					
1872.					
251	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	\$1,000 00
254	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
255	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
256	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
257	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
258	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
259	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
263	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
265	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
266	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
267	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
268	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
269	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
270	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
271	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
272	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
273	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
274	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
275	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
276	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
277	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
278	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00
279	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	1,000 00

[illegible]

Amount carried forward..

\$72,000 00

STATEMENT SHOWING LIST OF STATE BONDS—Continued.

[K]

Nos.	Date issued.	Date redeemable.	Date of payment of interest.	Rate of interest.	Am't of bonds.
Amount brought forward.....					
	1872.	1882.			\$72,000 00
311	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	\$500 00
312	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
313	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
314	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
315	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
316	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
317	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
318	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
319	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
320	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
321	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
322	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
323	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
324	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
325	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
326	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
327	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
328	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
329	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
330	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
331	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
332	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
333	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00

STATEMENT SHOWING LIST OF STATE BONDS—Concluded.

Nos.	Date issued.	Date redeemable.	Date of payment of interest.	Rate of interest.	Am't of bonds.
Amount brought forward.....					
1872.					
365	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
366	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
367	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
368	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
369	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
374	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
375	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
376	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
377	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
378	March 1st.....	March 1st.....	September 1st...	9½ per cent per annum.....	500 00
Total.....					\$99,000 00
1882.					
Amount brought forward.....					
1882.					
Total.....					
Total.....					\$104,000 00
Accrued interest on ten per cent bonds to December 31st, 1872.....					
Accrued interest on nine and a half per cent bonds to December 31st, 1872.....					\$450 00
Total accrued interest.....					2,723 33
Total accrued interest.....					\$3,173 33

STATEMENT

Showing list of State bonds outstanding, date of issue, date redeemable, rate of interest, and date payable.

Number and value.		Date issued.	Date redeemable.	Date of payment of interest.		Rate of interest.	Amount of bonds.	Accrued interest.
No. 1 No. 5 From No. 61 to 90, inclusive, From No. 93 to 129, inclusive, From No. 135 to 180, inclusive, From No. 188 to 191, inclusive, No. 198 No. 199 From No. 214 to 217, inclusive,	1 of \$500.....	1871. April 1st.....	1881. April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	\$500 00	\$12 50
	1 of 500.....	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	500 00	12 50
	54 of 500 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	27,000 00	675 00
	80 of 1,000 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	30,000 00	750 00
	37 of 1,000 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	37,000 00	925 00
	46 of 1,000 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	46,000 00	1,150 00
	4 of 100 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	400 00	10 00
	1 of 100.....	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	100 00	2 50
	1 of 100.....	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	100 00	2 50
	4 of 100 each.	April 1st.....	April 1st.....	April 1st.....	October 1st.....	10 per cent per annum.	400 00	10 00
From No. 218 to 224, inclusive, From No. 226 to 232, inclusive, From No. 234 to 241, inclusive, From No. 243 to 245, inclusive, No. 249 No. 252 No. 253 From No. 260 to 262, inclusive, From No. 264..... From No. 370 to 373, inclusive,	7 of 1,000 each.	1872. March 1st.....	1882. March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	7,000 00	221 67
	7 of 1,000 each.	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	7,000 00	221 66
	8 of 1,000 each.	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	8,000 00	253 33
	3 of 1,000 each.	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	3,000 00	95 00
	1 of 1,000.....	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	1,000 00	31 66
	1 of 1,000.....	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	1,000 00	31 67
	1 of 1,000.....	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	1,000 00	31 66
	3 of 1,000 each.	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	3,000 00	95 00
	1 of 1,000.....	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	1,000 00	31 67
	4 of 500 each.	March 1st.....	March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	2,000 00	63 34
From No. 1 to 380, inclusive, 380 of 1,000 each		1872. March 1st.....	1887. March 1st.....	March 1st.....	September 1st.....	9½ per cent per annum	380,000 00	12,033 33
							\$556,000 00	\$16,659 99

[M]

STATEMENT

Showing balances on hand in the different Funds January 1st, 1872; receipts and disbursements during the year, and balances December 31st; also, outstanding warrants upon the different Funds, January 1st; warrants drawn, registered, paid, and returned during the year, and warrants outstanding December 31st, 1872.

GENERAL FUND, COIN.

Dr.

To balance on hand January 1st.....	\$20,366 79
To receipts from County Treasurers.....	267,618 04
To receipts from sale of stamps.....	9,288 74
To receipts from delinquent stamp tax.....	2,342 54
To receipts from sale of currency.....	47,079 72
To transfer from State Interest and Sinking Fund, 1867...	93,908 06
	<hr/>
	\$440,603 89
	<hr/>
To balance on hand December 31st, 1872.....	\$138,102 29

GENERAL FUND, CURRENCY.

To balance on hand January 1st, 1872.....	\$29 01
To collections from General Government.....	59,850 00
	<hr/>
	\$59,879 01
	<hr/>
To balance on hand December 31st, 1872.....	\$800 00

STATEMENT

[M]

Showing balances on hand in the different Funds, January 1st, 1872; receipts and disbursements during the year, and balances December 31st; also, outstanding warrants upon the different Funds, January 1st; warrants drawn, registered, paid, and returned during the year, and warrants outstanding December 31st, 1872.

GENERAL FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$153,228 73
By transfers to State Prison Fund.....	84,593 23
By transfers to State Orphan Home Fund.....	19,691 02
By transfers to Nevada Orphan Asylum Fund.....	5,250 00
By transfers to Indigent Insane Fund.....	19,149 93
By transfers to Judicial Salary Fund	20,588 69
By balance on hand December 31st, 1872.....	138,102 29

\$440,603 89

GENERAL FUND, CURRENCY.

By Controller's warrants paid and returned.....	\$6,000 00
By sales of currency during the year.....	53,079 01
By balance on hand December 31st, 1872.....	800 00

\$59,879 01

EXHIBIT "M"—Continued.

GENERAL FUND, COIN WARRANT ACCOUNT.

Dr.

To warrants outstanding January 1st, 1872.....	\$92,387 42
To warrants drawn during the month of January.....	5,105 32
To warrants drawn during the month of February.....	3,822 10
To warrants drawn during the month of March.....	6,347 06
To warrants drawn during the month of April.....	8,589 25
To warrants drawn during the month of May.....	4,243 46
To warrants drawn during the month of June.....	5,586 51
To warrants drawn during the month of July.....	9,820 58
To warrants drawn during the month of August.....	3,634 35
To warrants drawn during the month of September.....	802 95
To warrants drawn during the month of October.....	10,055 94
To warrants drawn during the month of November.....	1,475 50
To warrants drawn during the month of December.....	12,503 79
	<hr/> \$164,374 23 <hr/>
To balance outstanding December 31st, 1872.....	\$11,145 50

GENERAL FUND, CURRENCY WARRANT ACCOUNT.

To warrants outstanding January 1st, 1872.....	\$11 31
To warrants drawn during the month of July.....	6,000 00
	<hr/> \$6,011 31 <hr/>
To warrants outstanding December 31st, 1872.....	\$11 31

EXHIBIT "M"—Continued.

STATE SCHOOL FUND, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$5,511 66
To receipts from County Treasurers	4,339 41
To receipts from sales of insurance license.....	35 00
To receipts from Devil's Gate Toll Road.....	399 14
To redemption of State bonds of 1867.....	58,000 00
To receipts from sales of currency.....	40,119 47
	<hr/> \$108,404 68 <hr/>
To balance on hand December 31st, 1872.....	\$287 40

STATE SCHOOL FUND, CURRENCY.

To balance on hand January 1st, 1872.....	\$9,668 53
To sales of State land.....	37,589 91
To collection from General Government.....	86 32
	<hr/> \$47,344 76 <hr/>
To balance on hand December 31st, 1872.....	\$1,168 57

EXHIBIT "M"—Continued.

STATE SCHOOL FUND, COIN WARRANT ACCOUNT.

Dr.

To warrants drawn during the month of January.....	\$128 00
To warrants drawn during the month of February.....	528 00
To warrants drawn during the month of March.....	72,023 80
To warrants drawn during the month of April.....	80 00
To warrants drawn during the month of May.....	616 66
To warrants drawn during the month of June.....	200 00
To warrants drawn during the month of July.....	745 00
To warrants drawn during the month of August.....	258 50
To warrants drawn during the month of September.....	432 00
To warrants drawn during the month of October.....	18,554 83
To warrants drawn during the month of November.....	2,906 80
To warrants drawn during the month of December.....	14,936 63
	<hr/>
	\$111,410 22
	<hr/>
To warrants outstanding December 31st, 1872.....	\$3,292 94

STATE SCHOOL FUND, CURRENCY WARRANT ACCOUNT.

To warrant drawn during month of December.....	\$400 00
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EXHIBIT "M"—Continued.

GENERAL SCHOOL FUND, COIN.

Cr.

By warrants paid and returned to Controller, as follows:	
By warrants in favor of Churchill County.....	\$159 00
By warrants in favor of Douglas County.....	1,256 60
By warrants in favor of Elko County.....	1,333 54
By warrants in favor of Esmeralda County.....	579 58
By warrants in favor of Humboldt County.....	989 90
By warrants in favor of Lander County.....	1,600 25
By warrants in favor of Lincoln County.....	1,928 51
By warrants in favor of Lyon County.....	995 02
By warrants in favor of Nye County.....	646 25
By warrants in favor of Ormsby County.....	2,287 53
By warrants in favor of Storey County.....	6,390 73
By warrants in favor of Washoe County.....	2,456 78
By warrants in favor of White Pine County.....	1,990 05
By balance on hand December 31st, 1872.....	16,521 18
	\$39,134 92

GENERAL SCHOOL FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller's office.....	\$22,613 74
	\$22,613 74

EXHIBIT "M"—Continued.

STATE INTEREST AND SINKING FUND, 1867, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$130,404 52
To receipts from sales of currency.....	928 54
To receipts from sales of Nevada State bonds, 1872.....	500,000 00
	<hr/> \$631,333 06

STATE INTEREST AND SINKING FUND, 1867, CURRENCY.

To balance on hand January 1st, 1871.....	\$1,030 57
	<hr/> \$1,030 57

STATE INTEREST AND SINKING FUND, 1867, WARRANT ACCOUNT.

To warrants drawn during the month of March, 1872	\$491,200 00
To warrants drawn during the month of April, 1872.....	39,775 00
To warrants drawn during the month of May, 1872.....	3,225 00
To warrants drawn during the month of July, 1872.....	3,225 00
	<hr/> \$537,425 00

EXHIBIT "M"—Continued.

STATE INTEREST AND SINKING FUND, 1867, COIN.

Cr.

By redemption of State bonds, 1867.....	\$500,000 00
By interest on State bonds, 1867.....	37,425 00
By transfer to General Fund, coin account.....	93,908 06
	<hr/> \$631,333 06

STATE INTEREST AND SINKING FUND, 1867, CURRENCY.

By State Interest and Sinking Fund, coin account, 1867, (coin realized from sale of currency).....	\$928 54
By discount and premium account (discount on sale of currency)	102 03
	<hr/> \$1,030 57

STATE INTEREST AND SINKING FUND, 1867, WARRANT
ACCOUNT.

By warrants paid and returned to Controller's office for March, 1872.....	\$491,200 00
By warrants paid and returned to Controller's office for April, 1872.....	39,775 00
By warrants paid and returned to Controller's office for May, 1872.....	3,225 00
By warrants paid and returned to Controller's office for July, 1872.....	3,225 00
	<hr/> \$537,425 00

EXHIBIT "M"—Continued.

STATE INTEREST AND SINKING FUND, 1871-2, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$10,847 79
To receipts from County Treasurers.....	48,340 78
	<u>\$59,188 57</u>
To balance on hand December 31st, 1872.....	\$39,392 57

STATE INTEREST AND SINKING FUND, 1871-2, COIN WAR-
RANT ACCOUNT.

To warrants drawn during the month of March.....	\$25 00
To warrants drawn during the month of April.....	6,807 75
To warrants drawn during the month of May.....	1,210 00
To warrants drawn during the month of October.....	11,728 25
To warrants drawn during the month of December.....	25 00
	<u>\$19,796 00</u>

EXHIBIT "M"—Continued.

STATE INTEREST AND SINKING FUND, 1871-2, COIN.

Cr.

By warrants paid and returned to Controller.....	\$19,796 00
By balance on hand December 31st, 1872.....	39,392 57
	<u>\$59,188 57</u>

STATE INTEREST AND SINKING FUND, 1871-2, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$19,796 ⁰ 00
	<u>\$19,796 00</u>

EXHIBIT "M"—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872, COIN.

Dr.

To receipts from County Treasurers.....	\$46,375 36
	<u>\$46,375 36</u>
To balance on hand December 31st, 1872.....	\$28,137 26

TERRITORIAL INTEREST AND SINKING FUND, 1872, COIN
WARRANT ACCOUNT.

To warrants drawn during the month of October.....	\$17,763 10
To warrants drawn during the month of December.....	475 00
	<u>\$18,238 10</u>

EXHIBIT "M"—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872, COIN.

Cr.

By Controller's warrants paid and returned.....	\$18,238 10
By balance on hand December 31st, 1872.....	28,137 26
	<u>\$46,375 36</u>

TERRITORIAL INTEREST AND SINKING FUND, 1872, COIN
WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$18,238 10
	<u>\$18,238 10</u>

EXHIBIT "M"—Continued.

SOLDIERS' FUND, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$1,124 61
	<u>\$1,124 61</u>
To amount on hand December 31st, 1872.....	\$963 28

SOLDIERS' FUND, COIN WARRANT ACCOUNT.

To balance outstanding January 1st, 1872.....	\$1,066 93
To warrants drawn during the month of May.....	47 50
	<u>\$1,114 43</u>
To warrants outstanding December 31st, 1872.....	\$953 10

SOLDIERS' FUND, CURRENCY WARRANT ACCOUNT.

To warrant outstanding, January 1st, 1872.....	\$2 00
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EXHIBIT "M"—Continued.

SOLDIERS' FUND, COIN.

Cr.

By warrants paid and returned to Controller.....	\$161 33
By balance on hand December 31st, 1872.....	963 28
	<u>\$1,124 61</u>

SOLDIERS' FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$161 33
By warrants outstanding December 31st, 1872.....	953 10
	<u>\$1,114 43</u>

SOLDIERS' FUND, CURRENCY WARRANT ACCOUNT.

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EXHIBIT "M"—Continued.

STATE CAPITOL FUND, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$4,407 96
To receipts from County Treasurers.....	37,499 55
To receipts from sales of currency.....	207 12
	<hr/> \$42,114 63
To balance on hand December 31st, 1872.....	\$4,811 45

STATE CAPITOL FUND, CURRENCY.

To balance on hand January 1st, 1872.....	\$231 49
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STATE CAPITOL FUND, COIN WARRANT ACCOUNT.

To balance warrants outstanding January 1st, 1872.....	\$61,375 00
	<hr/> \$61,375 00
To balance warrants outstanding December 31st, 1872.....	\$24,071 82

EXHIBIT "M"—Continued.

STATE CAPITOL FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$37,303 18
By balance on hand December 31st, 1872.....	4,811 45
	<hr/>
	\$42,114 63
	<hr/>

STATE CAPITOL FUND, CURRENCY.

By currency sold during the year.....	\$231 49
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STATE CAPITOL FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$37,303 18
By balance warrants outstanding December 31st, 1872.....	24,071 82
	<hr/>
	\$61,375 00
	<hr/>

EXHIBIT "M"—Continued.

STATE LIBRARY FUND, COIN.

Dr.

To balance January 1st, 1872.....	\$3,504 02
To fees from office of Secretary State, and sales of attorneys' licenses.....	2,388 40
To receipts from sale of currency.....	35 95
	<u>\$5,928 37</u>
To balance on hand December 31st, 1872.....	\$3,256 37

STATE LIBRARY FUND, CURRENCY.

To balance on hand January 1st, 1872.....	\$40 63
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STATE LIBRARY FUND, COIN WARRANT ACCOUNT.

To warrants registered during month of April.....	\$40 00
To warrants registered during month of May.....	65 90
To warrants registered during month of July.....	57 50
To warrants registered during month of August.....	220 00
To warrants registered during month of September.....	830 75
To warrants registered during month of November.....	119 25
To warrants registered during month of December.....	1,363 60
	<u>\$2,697 00</u>
To warrants outstanding December 31st, 1872.....	\$25 00

EXHIBIT "M"—Continued.

STATE LIBRARY FUND, COIN.

Cr.

By warrants paid and returned to Controller.....	\$2,672 00
By balance on hand December 31st, 1872.....	3,256 37
	<hr/>
	\$5,928 37
	<hr/>

STATE LIBRARY FUND, CURRENCY.

By currency sold during the year.....	\$40 63
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STATE LIBRARY FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$2,672 00
By warrants outstanding December 31st, 1872.....	25 00
	<hr/>
	\$2,697 00
	<hr/>

EXHIBIT "M"—Continued.

JUDICIAL SALARY FUND, COIN.

Dr.

To receipts from Supreme Court docket tax.....	\$240 00
To transfers from the General Fund.....	20,588 69
	<hr/>
	\$20,828 69
	<hr/>
To balance on hand December 31st, 1872.....	\$5,078 69

JUDICIAL SALARY FUND, COIN WARRANT ACCOUNT.

To warrants drawn during month April.....	\$5,250 00
To warrants drawn during month July.....	5,250 00
To warrants drawn during month October.....	5,250 00
To warrants drawn during month December.....	5,078 69
	<hr/>
	\$20,828 69
	<hr/>
To warrants outstanding December 31st, 1872.....	\$5,078 69

EXHIBIT "M"—Continued.

JUDICIAL SALARY FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$15,750 00
By balance on hand December 31st, 1872.....	5,078 69
	<u>\$20,828 69</u>

JUDICIAL SALARY FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$15,750 00
By outstanding warrants December 31st, 1872.....	5,078 69
	<u>\$20,828 69</u>

EXHIBIT "M"—Continued.

STATE PRISON FUND, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$621 15
To transfer from General Fund.....	84,593 23
To receipts from Prison labor.....	3,162 83
To receipts from sale of currency.....	155 98
	<hr/>
	\$88,533 19

STATE PRISON FUND, CURRENCY.

To balance on hand January 1st, 1872.....	\$176 25
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STATE PRISON FUND, COIN WARRANT ACCOUNT.

To warrants outstanding January 1st, 1872.....	\$43,687 83
To warrants drawn during month of January.....	3,128 94
To warrants drawn during month of February.....	4,043 60
To warrants drawn during month of March.....	3,149 73
To warrants drawn during month of April.....	3,229 23
To warrants drawn during month of May.....	3,537 49
To warrants drawn during month of June.....	3,867 70
To warrants drawn during month of July.....	3,228 15
To warrants drawn during month of August.....	2,553 95
To warrants drawn during month of September.....	7,041 53
To warrants drawn during month of October.....	3,688 90
To warrants drawn during month of November.....	2,528 87
To warrants drawn during month of December.....	9,042 18
	<hr/>
	\$92,728 10
To warrants outstanding December 31st, 1872.....	<hr/>
	\$4,194 91

EXHIBIT "M"—Continued.

STATE PRISON FUND, COIN.

Cr.

By Controller's warrants paid and returned.....	\$88,533 19
	<hr/>
	\$88,533 19

STATE PRISON FUND, CURRENCY.

By sales of currency during the year.....	\$176 25
---	----------

STATE PRISON FUND, COIN WARRANT ACCOUNT.

By Controller's warrants paid and returned.....	\$88,533 19
By warrants outstanding December 31st, 1872.....	4,194 91
	<hr/>
	\$92,728 10

EXHIBIT "M"—Continued.

STATE ORPHANS' HOME FUND, COIN.

Dr.

By warrants paid and returned to Controller's office.....	\$19,691 02
---	-------------

STATE ORPHANS' HOME FUND, COIN WARRANT ACCOUNT.

To warrants outstanding January 1st, 1872.....	\$11,442 76
To warrants drawn during month of January.....	788 42
To warrants drawn during month of February	551 61
To warrants drawn during month of March.....	539 76
To warrants drawn during month of April.....	621 23
To warrants drawn during month of May.....	909 64
To warrants drawn during month of June.....	460 83
To warrants drawn during month of July.....	884 27
To warrants drawn during month of August.....	587 88
To warrants drawn during month of September.....	673 84
To warrants drawn during month of October	1,049 25
To warrants drawn during month of November.....	893 97
To warrants drawn during month of December.....	311 08
	<u>\$19,714 54</u>
To warrants outstanding December 31st, 1872.....	\$23 52

EXHIBIT "M"—Continued.

STATE ORPHANS' HOME FUND, COIN.

Cr.

To transfer from General Fund.....	\$19,691 02
------------------------------------	-------------

STATE ORPHANS' HOME FUND, COIN WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$19,691 02
By warrants outstanding December 31st, 1872.....	23 52
	<hr/>
	\$19,714 54

EXHIBIT " M "—Continued.

INDIGENT INSANE FUND, COIN.

Dr.

To transfer from General Fund..	\$19,149 93
---------------------------------------	-------------

INDIGENT INSANE FUND, COIN WARRANT ACCOUNT.

To warrants drawn during the month of January.....	\$1,180 80
To warrants drawn during the month of February.....	1,240 22
To warrants drawn during the month of March.....	1,348 12
To warrants drawn during the month of April.....	1,658 46
To warrants drawn during the month of May	1,571 23
To warrants drawn during the month of June	1,499 45
To warrants drawn during the month of July	1,612 37
To warrants drawn during the month of August.....	1,822 15
To warrants drawn during the month of September.....	1,896 71
To warrants drawn during the month of October.....	1,644 94
To warrants drawn during the month of November.....	1,861 55
To warrants drawn during the month of December	3,700 62
	<u>\$21,036 62</u>
To balance warrants outstanding December 31st, 1872.....	1,886 69

EXHIBIT "M"—Continued.

NEVADA ORPHAN ASYLUM FUND, COIN.

Dr.

To transfer from General Fund.....	\$5,250 00
------------------------------------	------------

NEVADA ORPHAN ASYLUM FUND, COIN WARRANT ACCOUNT.

To outstanding warrants January 1st, 1872.....	\$3,050 00
To warrants drawn during the month of January.....	200 00
To warrants drawn during the month of February.....	200 00
To warrants drawn during the month of March.....	200 00
To warrants drawn during the month of May.....	400 00
To warrants drawn during the month of June.....	200 00
To warrants drawn during the month of August.....	400 00
To warrants drawn during the month of October.....	400 00
To warrants drawn during the month of November.....	200 00
To warrants drawn during the month of December.....	200 00
	<hr/>
	\$5,450 00
To warrants outstanding December 31st, 1872.....	\$200 00

EXHIBIT "M"—Continued.

SPECIAL LAND FUND, CURRENCY.

Dr.

To balance on hand January 1st, 1872.....	\$609 80
To receipts from one per cent on sales of land and special deposits	1,240 90
	<u>\$1,850 70</u>
To balance on hand December 31st, 1872.....	<u>\$1,656 70</u>

SPECIAL LAND FUND, CURRENCY WARRANT ACCOUNT.

To warrants drawn during the month of March.....	\$44 00
To warrants drawn during the month of July.....	150 00
	<u>\$194 00</u>

EXHIBIT "M"—Continued.

SPECIAL LAND FUND, CURRENCY.

Cr.

By warrants paid and returned to Controller.....	\$194 00
By balance on hand December 31st, 1872.....	1,656 70
	<u>\$1,850 70</u>

SPECIAL LAND FUND, CURRENCY WARRANT ACCOUNT.

By warrants paid and returned to Controller.....	\$194 00
	<u>\$194 00</u>

EXHIBIT "M"—Continued,

STATE LEGISLATIVE FUND, COIN.

Dr.

To balance on hand January 1st, 1872.....	\$5 00
---	--------

STATE LEGISLATIVE FUND, COIN WARRANT ACCOUNT.

To warrants outstanding January 1st, 1872.....	\$5 00
--	--------

EXHIBIT " M "—Continued.

STATE LEGISLATIVE FUND, COIN.

Cr.

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STATE LEGISLATIVE FUND, COIN WARRANT ACCOUNT.

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STATEMENT

[N] Showing liabilities and assets, also net indebtedness, December 31st, 1872, as per State Treasurer's books.

	Coin.	Currency.	Grand Totals.
<i>Liabilities.</i>			
State bonds issued April 1st, 1871, redeemable in ten years.....	\$160,000 00	.....	.....
Accrued interest on the same.....	4,000 00	.....	.....
State bonds issued March 1st, 1872, redeemable in ten years.....	120,000 00	.....	.....
Accrued interest on the same.....	3,799 99	.....	.....
State bonds issued March 1st, 1872, redeemable in fifteen years.....	380,000 00	.....	.....
Accrued interest on the same.....	12,033 33	.....	.....
State warrants outstanding.....	50,877 17	13 31	\$730,723 80
<i>Assets.</i>			
State bonds issued April 1st, 1871, purchased and belonging to the State School Fund.....	\$18,000 00	.....	.....
Accrued interest on the same.....	450 00	.....	.....
State bonds issued March 1st, 1872, redeemable in ten years, belonging to the State School Fund.....	86,000 00	.....	.....
Accrued interest on the same.....	2,723 33	.....	.....
Cash on hand in the different Funds.....	236,555 49	\$3,625 27	\$347,354 09
Net indebtedness December 31st, 1872.....	.....	.....	\$383,369 71



[O]

STATEMENT

Showing a full account of deposits made by applicants for State lands during the year, purchases completed, amount refunded, and balances.

SPECIAL DEPOSIT ACCOUNT.

Dr.

To balance on hand January 1st, 1872.....	\$66,053 06
To deposits made during the year.....	103,246 61
	<hr/> \$169,299 67
To balance on special deposit December 31st, 1872.....	<hr/> \$152,744 83

{ P]

STATEMENT

Showing the transactions in the State stamp account for the year 1872.

STATE STAMP ACCOUNT.

Dr.

To stamps on hand January 1st, 1872.....	\$184,717 41
To stamps with County Treasurers.....	14,156 29
To stamps received from Controller during the year.....	41,500 00
	<hr/> \$240,373 70
To balance on hand December 31st, 1872.....	<hr/> \$211,985 35
To stamps with County Treasurers.....	17,989 36

STATEMENT

[O]

Showing a full account of deposits made by applicants for State lands during the year, purchases completed, amount refunded, and balances.

SPECIAL DEPOSIT ACCOUNT.

Cr.

By amount of purchases completed.....	\$14,672 80
By amount refunded to applicants.....	1,882 04
By balance on special deposit December 31st, 1872.....	152,744 83
	<u>\$169,299 67</u>

STATEMENT

[P]

Showing the transactions in the State stamp account for the year 1872.

STATE STAMP ACCOUNT.

Cr.

By receipts from sales of stamps during the year.....	\$9,288 74
By commissions and percentage allowed County Treasurers	1,001 66
By commissions allowed purchasers from State Treasurer	61 00
By expressage on moneys from County Treasurers.....	47 59
By stamps on hand December 31st, 1872	211,985 35
By stamps with County Treasurers.....	17,989 36
	<u>\$240,373 70</u>

STATEMENT

[Q]

Showing the manner in which the following appropriations for expenses of State Treasurer's office have been expended.

Date.	TO WHOM PAID.	FOR WHAT PURPOSE.	Amount.
1871.		<i>Appropriation for contingent expenses of office.</i>	
May 25th.....	Sturr & Co.....	Material and labor for office.....	\$29 50
May 26th.....	C. C. Batterman.....	Furniture for office.....	25 88
May 26th.....	Olcovich Bros.....	Merchandise for office.....	4 50
May 26th.....	John Driesbach.....	Hauling safe to office.....	10 00
May 26th.....	C. C. Batterman.....	Furniture for office.....	111 50
May 26th.....	James Wilson.....	Painting done in office.....	27 50
May 26th.....	Jerry Schooling.....	Cash paid for moving furniture.....	4 50
June 2d.....	E. B. Rail.....	Hardware for office.....	4 50
July 5th.....	C. H. Maish.....	Repairing chairs in office.....	3 50
August 8th.....	O. A. F. Gilbert.....	Labor on Capitol grounds.....	14 40
Sept. 13th.....	D. R. Sturr.....	Repairing counter in office.....	4 75

Sept. 13th.....	Jerry Schooling	Expenses of two trips to Virginia.....	10 00
Oct. 28th.....	Foulke & Crosen.....	Repairs done in office.....	13 50
Dec. 6th	Foulke & Crosen.....	Repairs done in vault.....	12 00
1872.			
Jan. 22d.....	Jerry Schooling	Cash paid George D. Fryer for ice.....	27 44
Jan. 22d.....	W. D. Torreyson	Work done on vault and basement windows.....	150 00
April 2d	J. O. Pierce.....	Case of drawers for office.....	10 00
July 10th.....	J. O. Pierce.....	Putting up counter in office	25 12
Aug. 13th.....	E. B. Rail.....	Hardware for office.....	3 00
Nov. 21st.....	J. M. Benton.....	Ice for office.....	2 48
Dec. 31st.....	E. E. Scott.....	Keys for office	3 00
			<u>\$497 07</u>
1871.		<i>Rent of Treasurer's office.</i>	
March 10th...	John G. Fox.....	Rent of office for January.....	\$40 00
April 3d	John G. Fox.....	Rent of office for February.....	40 00
April 4th.....	John G. Fox.....	Rent of office for March	40 00
May 6th	John G. Fox.....	Rent of office for April	40 00
			<u>\$160 00</u>
		<i>Porterage for Treasurer's office.</i>	
March 18th...	Clem. Berry.....	Two months porterage.....	\$40 00
March 18th...	M. Steudemier.....	Nine days porterage in January.....	5 33
May 26th.....	Clem. Berry.....	Two months porterage.....	40 00
			<u>\$85 33</u>

EXPENDITURES FOR STATE TREASURER'S OFFICE—Concluded.

[Q]

Date.	TO WHOM PAID.	FOR WHAT PURPOSE.	Amount.
1871.		<i>Appropriation for postage, expressage, and telegraphing.</i>	
May 6th	Western Union Telegraph Company.....	Telegraphing for office.....	\$12 25
May 26th.....	Carson Post Office.....	Box rent and postage.....	3 07
May 26th.....	Jerry Schooling.....	Cash paid for postage.....	8 50
June 2d.....	Western Union Telegraph Company.....	Telegraphing for office.....	2 00
August 8th.....	Wells, Fargo & Co.....	Express franks for office.....	27 50
August 8th.....	Carson Post Office.....	Postage stamps for office.....	5 52
August 8th.....	Wells, Fargo & Co.....	Expressage for office.....	17 60
Oct. 3d.....	Western Union Telegraph Company.....	Telegraphing for office.....	3 00
Nov. 8th.....	Western Union Telegraph Company.....	Telegraphing for office.....	9 25
Dec. 7th.....	Carson Post Office.....	Postage, etc.....	10 65
1872.			
Jan. 4th	Western Union Telegraph Company.....	Telegraphing for office.....	12 25
Jan. 22d.....	Wells, Fargo & Co.....	Expressage.....	3 60
Feb. 7th.....	Western Union Telegraph Company.....	Telegraphing for office.....	5 50
March 8th.....	Carson Post Office.....	Postage for office.....	9 83
March 8th.....	Western Union Telegraph Company.....	Telegraphing for office.....	9 75
April 2d.....	Western Union Telegraph Company.....	Telegraphing for office.....	3 75
May 18th.....	Western Union Telegraph Company.....	Telegraphing for office.....	4 15
June 7th.....	Carson Post Office.....	Box rent and postage for office.....	10 11
July 10th.....	Western Union Telegraph Company.....	Telegraphing for office.....	3 20
July 10th.....	Jerry Schooling.....	Cash paid for expressage.....	2 25

August 13th.....	Carson Post Office.....	Box rent and postage.....	11 53
August 13th.....	Western Union Telegraph Company.....	Telegraphing for office.....	5 25
October 22d.....	Carson Post Office.....	Postage for office.....	7 05
Nov. 6th.....	Western Union Telegraph Company.....	Telegraphing for office.....	10 10
Nov. 6th.....	Jerry Schooling.....	Cash paid for telegraphing.....	3 50
Dec. 4th.....	Western Union Telegraph Company.....	Telegraphing for office.....	2 00
Dec. 31st.....	Carson Post Office.....	Postage for office.....	12 13
Dec. 31st.....	Western Union Telegraph Company.....	Telegraphing for office.....	11 75
Dec. 31st.....	Wells, Fargo & Co.....	Expressage for office.....	7 00
			<hr/>
			\$234 04

M. L. Yager, being duly sworn, deposes and says that he is and has been Clerk of the State Treasurer for the two years last past, and that the foregoing is a true and correct statement of the manner in which the above appropriations, made for said office for the fiscal years eighteen hundred and seventy-one and eighteen hundred and seventy-two, were expended.

(Signed,)

M. L. YAGER.

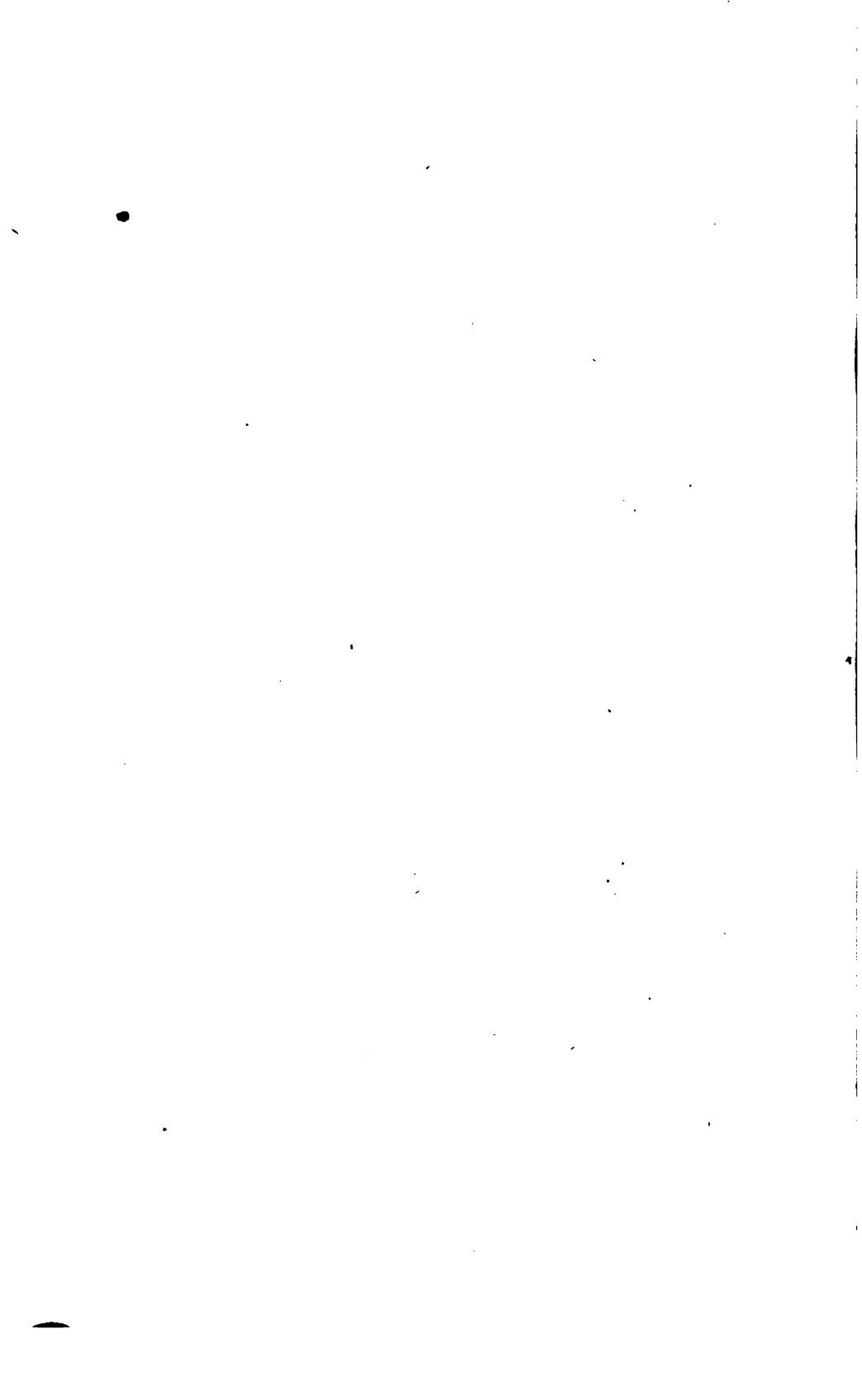


Subscribed and sworn to before me, this tenth day of January, eighteen hundred and seventy-three.

(Signed,)

CHARLES MARTIN,
Notary Public, Ormsby County, Nevada.

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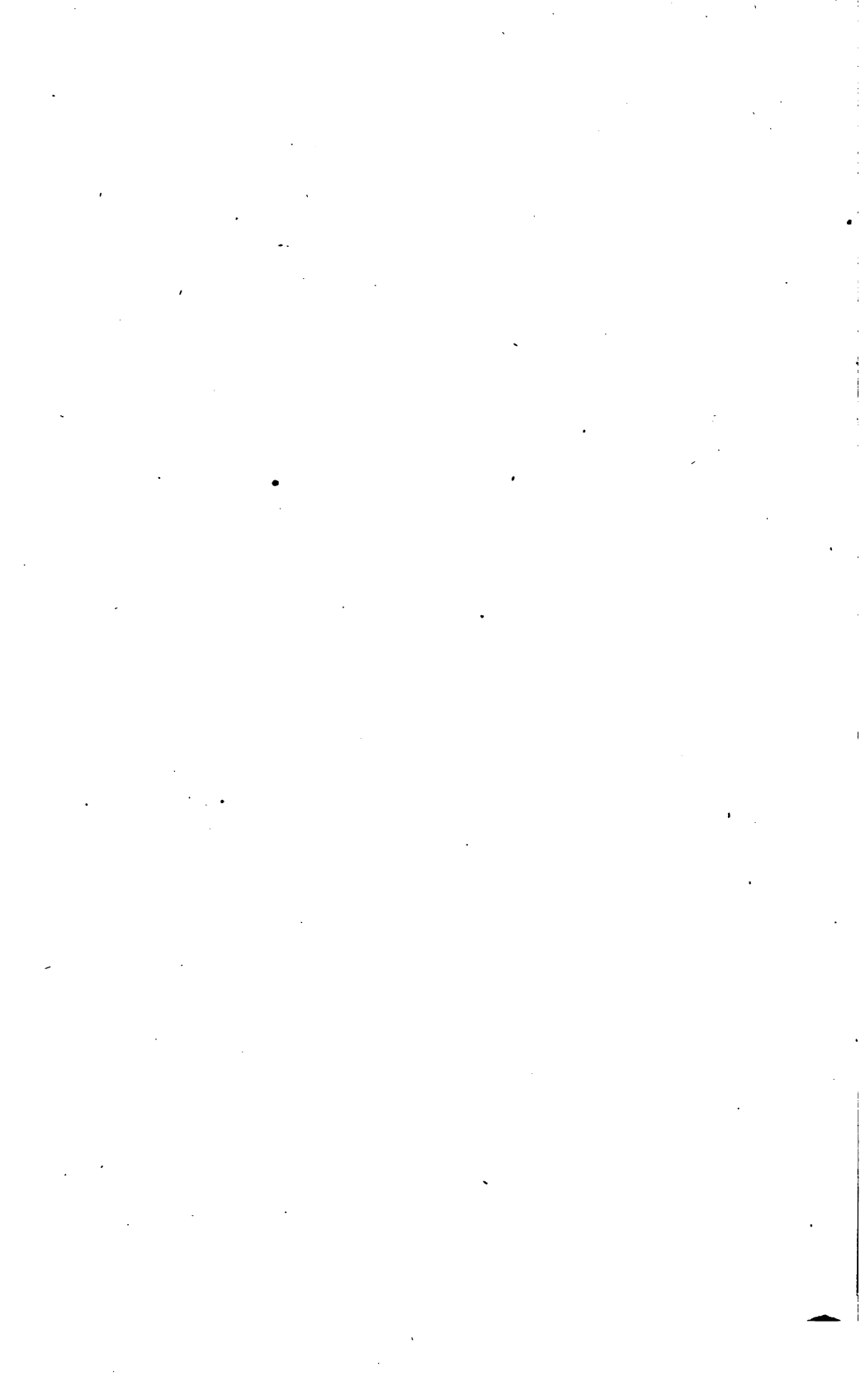
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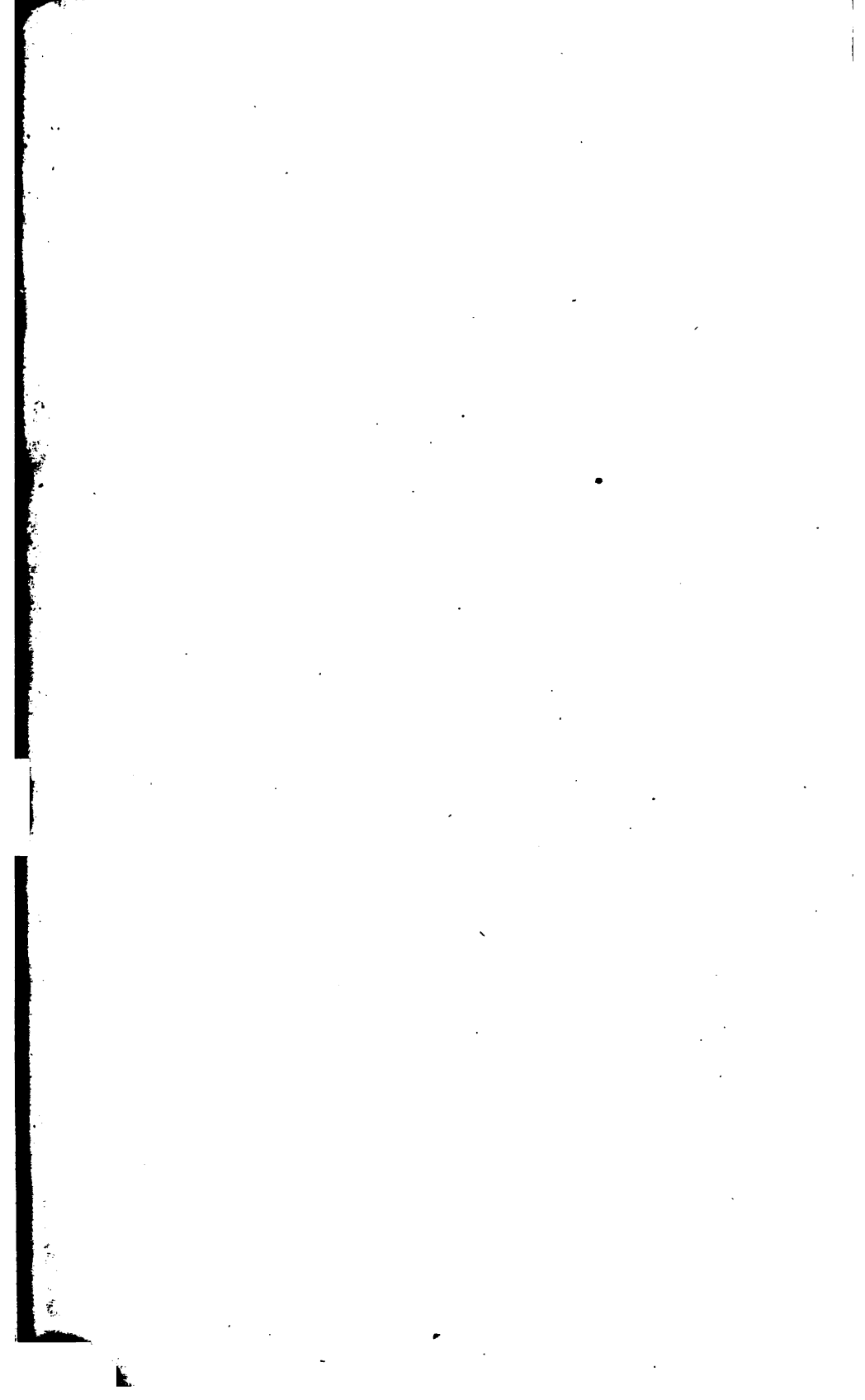
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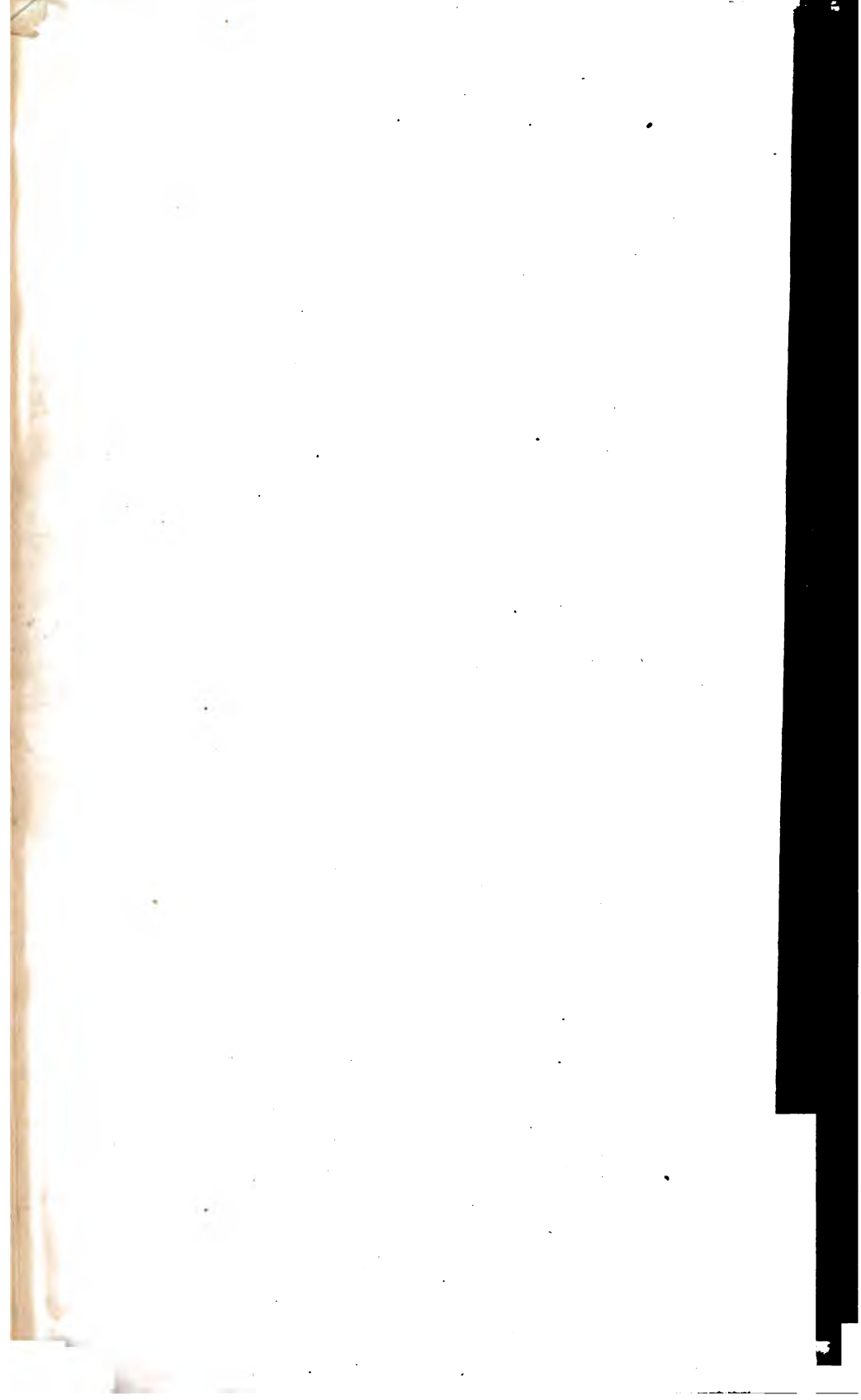
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